Unsettled Settlers: Introduction

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Both historical and contemporary patterns of migration and immigration policies in Canada confirm the fact that our trajectory has been a crossroad of socially constructed hierarchies of race, class, gender, religion, nationality, and sexual orientation, among other forms of intersecting oppressions. While Canada has gained an international reputation as one of the best countries in which to live, it has also been forced to issue official apologies for the treatment of Aboriginal communities at various historical and political conjunctures. Canada continues to promote and implement discriminatory immigration, border control, and human service/settlement policies that negatively affect both new and old immigrants. These policies create an inequitable situation that sets the stage for social exclusion whereby certain groups of immigrants are constructed as a threat to national security or else are perceived as an economic burden on both government and taxpayers. These policies in particular have led to increased racism and discrimination against racialized immigrants while simultaneously dividing them into categories of "good" and "bad." At a same time, restrictive immigration policies have created a major barrier for entering Canada legally for many people (through the Point System, difficulties in obtaining a visa, or on account of hurdles in the refugee determination process and sponsorship criteria). This latter group is provided with no choice but to live in Canada without legal immigration visas. Among them are rejected refugees, women and children, trafficked individuals, displaced persons due environmentally induced (mining, toxin) conditions or violence erupted from negative impacts of neo-liberal capitalism and globalization (such as free trade agreements), violence against women and sponsorship breakdown. We refer to this group

of migrants as illegalized persons (formerly known as non-status persons). While it is estimated that between half a million to one million illegalized persons live and work in Canada, unfortunately to date no systemic measures have been in place to protect them from exploitation and human rights violation. It is important to note that women, due to their caregiving responsibilities for their children and families in Canada and of those remained abroad have fewer options to further their chances of gaining legal immigration statuses. For this reason, the illegalized population is highly feminized.

The recent changes to the immigration policies, has meant a political agenda that has seen a significant reorientation away from a balance between family reunification and protection towards economic considerations marked by an increased infusion of temporary foreign workers, a significant reduction in family class immigrants – especially parents and grandparents and dependent children – and a trending down of the number of convention refugees. At the same time we have seen the rise of a public discourse that has shifted away from the role of immigration in nation building to one that demonizes refugees and reduces immigrants to labour units while promoting the belief that immigrant families are a drain on the purse of the state. This discourse, at its worst, links immigration to public security and criminal justice concerns manifested in punitive immigration and refugee protection laws designed for forceful removal and return whereby those in need of protection are deemed legally inadmissible.

Within the current political moment, the scaling back of government support for the civil society through the withdrawal of public funds from programs has been a major setback to organizations serving immigrants and refugees. Since the 1990s, the settlement sector has been under pressures to deliver services in an environment that is increasingly about financial accountability, tightening service eligibility rules, a significant reduction in budgeting flexibility, and decreasing grant dollars. At the same time there is an increase in both perceived and actual need on the part of immigrants and refugees for more professional services and interventions to address their complex issues.

In 2010, the immigrant and refugee settlement and integration sector in Ontario experienced significant reductions in funding from the Federal Government. Over $43 million was cut from the sector, which resulted in the defunding of over 35 programs and agencies in Ontario with a significant impact on thirteen grassroots, community development focused agencies within the Greater Toronto Area (GTA) (Ontario Council of Agencies Serving Immigrants [OCASI], March 9, 2011; Keung, February 24, 2011). This significant reduction in funding has a severe negative impact on the capacity

of these agencies to continue providing the level of services required by the communities which they serve. It may also compromise the integrity of their programs in the long term.

The decision for this funding reduction originated in a directive from the federal minister of Citizenship, Immigration and Multiculturalism to reduce the national budget by ten percent as part of the federal government's deficit reduction agenda (OCASI, March 9, 2011). While bureaucrats within the ministry had very little room in terms of the directive to cut their budget, ultimately how and where the cuts were made – particularly in the GTA which is a highly immigrant and racialized populated city – speaks volumes about, at best, the institutional disregard for racialized communities and, at worst, discrimination within Canada's immigration, settlement, and integration program. Of the thirteen community-based organizations in the GTA that lost 100 percent of their funding in 2010, almost 50 percent were "ethno-specific" organizations – East African, African-Caribbean, South Asian, Chinese, and Arab (Keung, December 23, 2010). Despite active community mobilization, government and most mainstream media have yet to effectively explore the implications of funding cuts on racialized communities.

In the absence of public outcry or effective political opposition against changes to Canada's immigration laws, policies and programs, this book aims to speak to individuals working with immigrants and refugees and their issues at the individual, community and systemic levels with the hope of raising social consciousness about the lived experiences of immigrants and refugees on the one hand and intervening into the public conversation about immigration patterns on the other. As is generally recognized, with a declining birth rate and an aging population, Canada is in dire need of immigrants in order to meet its labour demand and maintain population growth. Despite this recognition, the legacy of discriminatory immigration patterns continues to be parallel to current ideological discourses in which some Canadians remain reluctant hosts to anyone they perceive as "outsiders." This has led to the marginalization of immigrants and refugees in terms of income, health status, employment and political participation. It is causing a growing segment of settlers who remain unsettled and unwanted irrespective of their length of residence in and ties to Canada.

Even still, before resigning to or accepting the status quo as unchangeable, let us not forget the resiliency of the generations of immigrants and refugees who have come before us. They too, have experienced the same – and sometimes more intense – levels of exclusion from their host country. Many of these pioneers have persisted and overcome what appeared to be

insurmountable barriers. In the process, they made Canada stronger and Canadian society a more diverse nation. With their resilient power, they paved the way for new generations of immigrants.

So, while this book serves primarily as a critique of the Canadian state and the policy direction that the country is sadly taking, it also calls on readers to celebrate the immigrants and refugees who, through their successes, have triumphed over the intolerance, discrimination, and racism in a society that largely rejects and marginalizes them.

Thus, not every immigrant's and refugee's story is a "success" story. Systemic discrimination, poverty, and racism, to name a few, are issues that define the day-to-day experiences of all too many of the newcomers to this country, and are precisely the issues that seem to get the least attention from policy and decision-makers. While this book is not a comprehensive depiction of the collective experiences of immigrants and refugees, it does provide a snapshot of the complex social, political, and economic web within which too many immigrants, refugees, and non-status migrants carve out their precarious existence.

The political readings contained in this textbook, concerning the experience of migration, immigration, citizenship, integration and the various policies, programs and laws that govern these, are as diverse as the authors themselves. As academics, community organizers, refugee rights advocates, physicians, lawyers, or students of law or social policy, the writers share with us a diverse set of values, political ideologies, and life experiences. Themes range from immigration policies through the decades to the formal development of the settlement sector and the discussions of citizenship, multiculturalism and belonging. From refugee and immigration policies affecting racialized individuals, children and youth, and members of LGBQT communities, to education, the criminal justice system, violence against women, the response of civil society through the sanctuary movement and health, employment and housing conditions, readers are introduced to ideas, concepts and language that are at times troubling and contradictory but always intellectually challenging.

Any editorial attempt to resolve the conflicting ideas and concepts presented in this book would have been futile. Nor would it have been desirable to select only those writings that might be regarded as being either too critical of or too deferential towards the Canadian state. The various chapters do paint a certain picture of Canada – one that is less than ideal, and where race still plays a role in deciding the life chances of success for immigrants and non-immigrants alike – there are obvious disagreements as to the extent

to which racism and other forms of systemic discrimination influence the political, and socio-economic structures and decision-making in Canada. Given such disagreement, there is also a lack of consensus as to the kind of solutions – both political and otherwise – that are needed in order to address the challenges facing immigrants and refugees whose rights and interests are the primary focus of this project. Being among the first book for college students in Canada that cover the issues of immigration and integration within the field of social services (particularly those interested in working with immigrants and refugees) can be both an advantage and a disadvantage. Whatever the goals and objectives, and however successful it may be in achieving them, the hope is for readers to arrive at a realization that there is no panacea and that the only way forward is by way of further dialogue and discussion. But the project would not be complete if it had not included the perspective of front-line workers, activists, and those engaged with the law. Whether collectively or individually, structurally or personally, the book bears the responsibility and professional power to achieve societal change. To get there, however, we need a common starting point, which in turn requires us to build a common understanding of the language used in this book, especially in discussions of experiences of marginalization, exclusion and oppression and the responses that build towards a social justice agenda.

The use of language particularly in naming groups of people is always one of negotiation. The naming of historically oppressed peoples speaks to issues of power – from colonial relationships to the present-day manifestation of the race, class, gender, ability, and sexual orientation hierarchy. Self-location is paramount to a peoples' sense of power of being. It is the essence of how one sees her or him self and how one wants to be seen by others. Yet this negotiation that takes place within the group is open to outside influences, particularly the groups' historical relationships to others. A good example of this negotiation can be found with people of the African Diaspora. In the last hundred years or so we have seen an evolution in naming from "Coloured" to "Negro" to "Black" to hyphenated African ("African-Canadian") and recently for some, to racialized persons.

It is not uncommon to find that people who have a sense of entitlement can be determined to denigrate others that they deem to be different from themselves. Whether in terms of race, gender, ethnicity, or religion, they will use names (not of the group's choosing) in an attempt to maintain power and control. But the tension that exists around naming does not always arise out of malevolent intent. There is an ongoing debate within the communities of Canada's First Peoples about naming, and the views are as diverse as

the many nations and ethno-cultural groups engaged in the ongoing discourse. This presents a challenge for writers outside of these communities in determining what the appropriate designation should be.

Throughout the textbook, authors refer to all individuals categorized as "visible minority" or "person of colour" as "racialized." This last term is open for debate given its relatively recent introduction into the lexicon. The discourse on race and racism is not new but the framing of this within the language of racialization has only recently entered into common political usage. It is an acknowledgement that individuals or groups of people, depending on their "race" (often physical appearance, especially colour), are treated differentially vis-à-vis their European counterparts. But while the term as an umbrella is politically useful, it should not dismiss the multifaceted challenges faced by non-racialized immigrants nor be used to conflate and blind us to the experiences of the diverse racial, ethnic, and cultural communities into a singular homogenized whole. To do so would be an injustice to the historic and current specificities of experiences and hamper effective policy interventions needed to address particular experiences of discrimination and exclusion. And, though there are many links between struggles of Aboriginal peoples and those of peoples of colour, the book's focus on the experiences of immigrants and racialized members is consistent with the recognition of the Aboriginal Peoples' unique and specific historical relationship with Canada.

Overall, the book is divided into seven thematic sections. The authors of the seventeen chapters have diverse professional and academic expertise with personal interest in the field or study of immigrants and refugees.

The first theme speaks of immigration and refugee policies. Avvy Go's opening chapter, "A Race-Based Analysis of Canada's Immigration Policy," examines the overtly racist history of Canada's immigration policy and contemporary forms of racial exclusion under current law. In chapter two, Geraldine Sadoway describes the situation of immigrant and refugee children in Canada, and of children who are Canadian citizens but whose parents are immigrants or refugees. This is addressed within the context of international human rights documents such as the *United Nations Convention on the Rights of the Child* that deals with the rights of all children in the world, regardless of their immigration status. The conditions of refugee and unaccompanied children and youth continue to suffer from a gap in academic literature as well as policy and professional practices. Through the review of specific case studies, the author draws attention to existing social service programs that are geared towards supporting immigrant and refugee children and their families. While the law affects all immigrants and refugees,

Nicole LaViolette's chapter, entitled "Sexual Minorities, Migration, and the Remaining Boundaries of Canadian Immigration and Refugee Laws," raises a serious concern about the homophobic and heterosexist assumptions faced by gay men, lesbians, bisexuals, and trans-gender individuals (LGBT) in the complex and convoluted world of immigration and refugee determination system. Based on a moral tradition and through the implementation of discriminatory immigration policies many LGBT visitors, immigrants and refugees were barred from entering Canada or upon their arrivals were subjected to forceful deportation. It is mainly the last few decades that members of the Immigration and Refugee Board began to address the human rights of LGBT claimants to the extent that Canada is considered among some of the most desirable destinations for LGBT claimants.

In theme two, the first chapter written by Debbie Douglas and Amy Casipullai aims to historicize the formal Settlement and Integration program. Together, the authors provide a chronological account of the evolution of the "settlement sector," from its early roots as a project aimed at socializing the poor within the urban communities to its present-day incarnation as a structured program that faces real challenges to its social justice orientation. This challenge, from policy to front-line practice, is further explored by Jennifer Clarke who, in her chapter "Doing Anti-Oppressive Settlement Work: A Critical Framework for Practice," provides us with a toolkit for working in our field. By relying on an anti-oppressive frame-work interweaving with her personal experience when working as a front-line settlement worker, she argues that settlement work entails a wide range of strategies from critical analysis and critical self-reflection to advocacy, empowerment and capacity building, conscious-ness-raising, organizing, activism, and social action.

Although most immigrants experience barriers to settlement and integration, the impact of such struggle is much more profound on racialized members. For this reason, understanding their unique experiences require different sets of policy responses and intervention strategies. Theme three takes on the discussions about citizenship, multiculturalism and belonging as well as racial equity and anti-racist education. The first chapter, "Multiculturalism and Citizenship in Canada as Policy and Discourse: Approaches and Challenges" by Salah Hassanpour, introduces the often-complex negotiations that must take place as immigrants and refugees attempt to establish a sense of home and social and political ownership of this home. From there, a chapter by Cornelia Mazgarean explores the idea of citizenship as it relates to exclusion and raises two critical questions: Who gets to belong? Who deserves to belong? These questions are analyzed through the new changes

to *Bill C-24*, titled "*Strengthening Canadian Citizenship Act*," which received royal assent on June 19, 2014. The new law it is argued will keep more people out of the public sphere of participation, with disparate effects on disadvantaged groups, and represents a weakening of the idea of citizenship. Such discourse is also experienced by racialized pupils from the moment of entering into the educational system to their point of exit affecting their learning abilities and livelihoods. In his chapter "The Relevance of Anti-Racist Education," George J. Sefa Dei critiques the discourse of multiculturalism as an official policy of Canada and argues for anti-racist education as a discursive and political practice. He insists that this analysis must place the myriad forms of racism and their intersections with other forms of oppression in societal institutions on the table for discussion. Thus, educators, policy makers and community workers cannot shy away from an engagement with anti-racism if we are to challenge the often-dominant assumptions of who can be a citizen and an active participant in civil society.

In recent years, many activists and healthcare practitioners have argued for the inclusion of immigration status as a social determinant of health and have seek for inclusive and accessible healthcare services. Theme four begins with a chapter by Soheila Pashang, "Putting More 'Social' in the Social Determinants of Health: A Roadmap to an Inclusive Approach," that addresses ways in which Aboriginal Peoples, racialized individuals, and immigrants, refugees and illegalized persons social determinants of health is affected by the process of colonization in its historical and current trends making members of these communities vulnerable to health disparities. Pashang argues for Aboriginal status, racialization and immigration status to be recognized as elements of social determinants of health by the Public Health Agencies of Canada. The next chapter is by Donald Payne entitled "Mental Health Problems of Refugees Who Have Suffered Trauma." According to Payne, many refugees are faced with traumatic events that lead to their displacement, forced migration, and violation of their rights throughout their flight, during their refugee hearings, and while settling in their new homeland. These external conditions lead to psychological stresses such as anxiety, depression, low self-esteem, and grief over what has been lost.

Theme five expands our knowledge about the criminal justice system, and violence against women policies, programs and best practices. In their chapter entitled "Myths and Realities: Intersections of the Criminal Justice System with Immigration Status," Siavosh Pashang and Soheila Pashang examine ways in which the legacy of colonization has criminalized racialized members and immigrants in Canada. The chapter expands on the ways in

which the justice system, through discriminatory practices such as racial pro-filing, can negatively affect the lives of refugees, permanent residents, and illegalized persons as they encounter the justice system either as a victim or perpetrator of crime. Angie Arora, in "Violence against Immigrant and Refugee Women," explores the impact of immigration status on the lives of immigrant women. She expands our notion and understanding of safety by analyzing the range of systemic barriers immigrant, refugee, and illegalized women (non-status) experience in the context of intimate partner abuse. This includes amendments to immigration policies which increases the vul-nerability of immigrant and refugee women and their families.

Theme six addresses the housing conditions of various groups of immi-grants. All chapters offer evidence about the coexistence of one's im-migration status and socio-economic conditions with the eligibility criteria attached in accessing safe and affordable housing whereby individual is forced to live in an underground manner or seek refuge from the Church; push for a innovative housing arrangement such as Refugee Houses; or face homelessness. In "The Legitimacy of Canadian Sanctuary: Civil Dis-obedience or Platform for Human Rights Dialogue?", Lisa Min examines the impact of immigration law such as deportation and removal policies in forcing rejected refugees to take shelter inside the premises of faith institutions in order to prevent the execution of an enforceable removal order against them. The author frames sanctuary incident as a resistance and platform for policy changes under two broad legal narratives: juxtaposing impugned and arbi-trary domestic law and international refugee law. In their chapter "Refugee Houses: Addressing the Immediate Housing Needs of Refugees in Toronto," Philip Ackerman, Francisco Rico-Martinez and Loly Rico examine the hous-ing needs of refugees and offer an alternative approach to housing work. The chapter first presents the history of refugee houses as a mode of political resistance in response to the emerging needs of refugees in Canada and offers a client-based best practice model to address housing requirements and integration of refugees. The housing needs of immigrants are further addressed by Emily Paradis in her chapter "Experiences of Homelessness Among Women and Families with Precarious Status in Toronto." By drawing on the findings of several studies, the author reports a higher rate of home-lessness and precarious housing conditions for mothers with precarious sta-tus compared to those who were Canadian-born and those with permanent resident status. Despite this, service providers' strategies for supporting homeless mothers with precarious status reveals an institutionalization of precarity in the absence of state policies to protect the rights and security of these mothers and their Canadian-born children.

Finally, theme seven addresses the Canadian labour market and the issue of employment among various groups of immigrants and racialized members. In "Historical and Current Labour Market Experience of Racialized Immigrants in Canada: Advancing Structural Intervention," Ajamu Nangwaya addresses existing structural barriers, including racism, for immigrants attempting to enter the labour market force. These barriers shape the experiences of racialized people, including indigenous peoples, and affect their overall life chances. The author raises the question of unionization and employment equity practices as proposed solutions. Despite the restrictive immigration selection criteria for skilled immigrants and its relation to the labour market needs of Canada, there seems to be a disconnect between such policy and employability of new immigrants where nearly two thirds of them are underemployed or are pushed to occupy surviving jobs. The employment conditions of foreign-trained professionals are further explored in "Persistent Challenges and Possible Solutions: Skilled Immigrant Employment in Canada" by Sophia Lowe and Kuziva Ziramba. By focusing on the labour market integration of skilled immigrants, the authors examine various employment barriers from lack of Canadian experience and skills and credential recognition, to linguistic and cultural biases inherent in behavioural interviewing style, limited professional networking, and discrimination against racialized members. To address such gaps, the authors introduce various practices and initiatives promoted by all three levels of government and various stakeholders to improve service provision and policy initiatives.

Overall, each chapter offers practical intervention strategies required for front-line practitioners as they work with immigrants and refugees. Throughout the book, readers will be presented with a case study to understand the lived realities of immigrants and refugees and how their status is interwoven in government laws and policies, and organizational practices. However, change must start with ourselves and be reflected in our professional practices as lawyers, academics, front-line social worker and social service workers. This book is but one tool among many to embark on that journey of change.

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