Canadian Immigration Policy

by

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Canada is a “nation of immigrants,” and today has a non-discriminatory policy for admission of permanent immigrants in three categories – economic, family reunification and refugees – virtually immediate access to all major institutions of society, and an easy pathway to full citizenship.

Throughout its history, Canada has sought immigration to expand the population, boost the economy, and develop society (Reimers and Troper 1992, Simmons and Keohane, 1992; Green 1995, Li 2002; Reitz 2003). Major waves of immigration to Canada have corresponded to economic needs (Green and Green 1999). In the 19th and early 20th centuries, agricultural development was a key to exploiting Canadian economic opportunities, so immigrants were recruited to settle the West. In the 1880s, construction of the Canadian Pacific Railway produced a significant wave of immigration, while the 1900s began with renewed agricultural development, and thirty years of substantial immigration. Following World War II, Canada resumed an expansionist immigration policy which continues to be a major part of policy today.

Two major shifts in the economic objectives of Canadian immigration reflected changing requirements of the Canadian economy. First, a shift from rural to urban development accompanied industrialization. When large-scale immigration resumed in the post-war period, it consisted largely of unskilled labourers required for urban industrial employment, who entered the economic hierarchy at its lower levels and progressed from this starting point. The second shift, from low- to high-skill immigration, accompanied the transition to a post-industrial economy. During the 1960s as well, Canada eliminated origins-based selection criteria, and in 1967 introduced a points-based system for selecting so-called “independent” or economic immigrants was designed to ensure maximum employability in an economy in which skilled labour was a priority. Since then, immigration selection has become a form of human resource management.

The federal government’s responsibility for immigration policy has been reinforced in successive legislative actions (1976, 2001), but in recent decades, the largely French-speaking province of Quebec has acquired significant powers for the selection and settlement of immigrants. Beginning in the late 1990s, other provinces also have reached agreements with the federal government regarding immigration policy. Immigrant settlement and integration is a shared responsibility of all levels of government.

Canadian immigration policy is explored below in terms of (a) managerial issues, (b) the politics of immigration, (c) economic impact, (d) social impact in linguistic, cultural and racial dimensions, and (e) emerging issues.

(a) Managerial Issues

Since the policy reforms of the Canadian immigration policy has maintained a “managerial” stance and focussed on the following: the size of the program and numbers of immigrants, the evolution of “economic” immigration, and the reduction of overall program costs.

Managing Numbers and Demographics. For most of the past decade, Canada has admitted between 200,000 and 250,000 immigrants per year, with a maximum of just over 250,000 in 2001. Current government policy is to raise this to 1 percent of population per year, or about 300,000. The 1996 Canadian census showed that about 17 percent of the population was foreign-born.

The Immigration Act of 1976 formalized immigration principles and processes, and provided parliamentary authority for setting numbers of immigrants which previously had been set through administrative regulation. The Act authorized the government to set annual numerical targets for immigration in relation to its analysis of economic need and other priorities.
Today’s immigrants are concentrated in the largest urban areas, particularly Toronto, Montreal, and Vancouver. In the 5-year period prior to 1996, Toronto attracted 42.6 percent of all immigrants, Vancouver 18.5 percent, and Montreal 13.2 percent. Of Toronto’s population of about 5m, well over a third are of non-European origins as a result of immigration. The largest groups are the Chinese (8.0 percent), South Asian (7.5 percent) and Black (6.6 percent). Thus, race now is a significant element in the social, cultural, economic, and political life of Canada’s major cities (Reitz and Lum, forthcoming).

Overall population growth in Canada has been boosted significantly by immigration. The exact extent of this contribution is difficult to measure precisely, but it has been estimated that of the 26.4 percent population growth between 1971 and 1991 (from 21.6m to 27.3m, or 5.7m), Canada’s 2.8m immigrants contributed 27 percent (McVey and Kalbach 1995:87-90). Hence between 1971 and 1991 the population grew 7 percent from immigration. As the Canadian birthrate has declined, immigration has become increasingly important to population growth. The 2001 census showed that over the previous five-year period immigration had for contributed more than 50 percent to population growth.

Managing Economic Immigration:
The points-system for the selection of independent or “economic” immigrants, and the associated effort to maximize the proportion that this category represents relative to the “family class” and other non-economic categories, has evolved into the principal policy tool for ensuring that the flow of immigrants meets the needs of the Canadian economy. Under points-based selection, applicants are awarded points toward admission based on criteria such as education, occupational skills, and knowledge of one of the official languages, English or French. The underlying assumption has been that immigrants who are successful in employment make a more positive contribution to the economy and society: they buy more goods, pay more taxes, start more businesses, create more jobs, and use fewer social services. They will not take jobs from native-born workers, nor undercut their wages.

Over time, selection standards have been raised. The initial 1967 points-system presented a fairly low hurdle. Occupational skills including those based on education were considered, but applicants could meet the required points total based on other criteria: meeting age and language requirements, a job offer, a willingness to settle in an area of strong labour demand such as Toronto, or the discretion of the immigration officer. By 1985, the number of required points for economic immigrants had increased (from 50 to 70 out of 100), with minimum requirements in job experience and occupation categories. Revisions in the points system increased the importance of occupational qualifications, and reduced the importance of age and “personal suitability” requirements (Reitz 1998, pp 74-9). The version in place in December 2001 allocated 34 points for education and training, 15 for language ability, and 10 for being between 21 and 44 years of age.

To strengthen the economic component of immigration, three categories of “business immigrants” were added in the 1980s: entrepreneurs, the “self-employed,” and investors. In the business categories, the “points system” criteria are altered to allow the admission of persons expected to start businesses and create jobs, who will undertake self-employment in key fields such as agriculture, or who will invest a specified amount of capital (currently $400,000) in the economy. These programs remain relatively small: in 2000, 13,645 business immigrants, or 6.9 percent of the total, were admitted.

Canada’s temporary foreign worker program fills a range of needs, including seasonal labour in the agricultural sector, domestic workers, management transfers in multinational businesses, and high-tech workers who may be in short supply in the domestic workforce. In 1998, about 250,000 temporary residents were authorized to live in Canada, of whom over one-third were Americans. Employers who wish to hire foreign workers on a temporary basis must apply for an Employment Authorization (EA) which is validated by a labour-market testing process developed by Human Resources Development Canada (HRCD). Federal policy has attempted to increase the opportunity for temporary work visas, and the increased admission of temporary workers, with their potential for conversion to permanent status, has been heralded as part of the move to a “knowledge economy,” distinct from earlier policies in that high-skilled occupations are targeted, and that specific job offers are required.

Managing “Non-economic” Immigration and Overall Program Costs: Policy also has focused on reducing the family-class proportions of total immigration; reducing settlement and social services costs; and addressing problems of the refugee determination process.

Family-class immigrants are not the immediate dependents of principal applicants but more distant family members “sponsored” by Canadian residents. Some are “assisted relatives,” who have family ties to residents but who must also meet certain points criteria. A long-held perception of “family-class” immigrants as economic liabilities has been supported by published studies which show that
skilled workers out-perform both family-class immigrants and refugees (Citizenship and Immigration Canada 1998). Despite the theoretic importance of family ties in promoting social and economic integration, data from the Longitudinal Immigrant Database (IMDB) support minimizing the size of the family-class stream. Yet while policy makers seek to choose immigrants based on human capital considerations, each economic immigrant represents a potential source of perhaps three or four subsequent family-class applicants. The only way to avoid the implications of this fact is to reduce or delay family-class eligibility, which may be opposed by already-resident immigrants, and may also reduce Canada’s attractiveness as a destination.

Immigrant settlement programs, providing counselling and language training, are supported by the federal immigration program, and topped up by provincial governments. While the federal immigration department accepts a degree of responsibility for immigrant settlement, it aims to reduce costs. One justification for a large economic class of immigrants is the expected reduction in all types of settlement costs. Immigrants are now charged for entry into Canada, in an effort to make the program self-financing: each principal applicant and dependent 19 years or older pays $500, those under 19 pay $100, business applicants, $1000, and a “right of landing” fee of $975 is imposed.

Social services such as education, health care, unemployment compensation and social assistance are available for immigrants. While Canada has implemented changes to social welfare policies to save money, legal immigrants have not been targeted in a major way. However, in Ontario social assistance payments for sponsored immigrants were reduced by $100 per month where sponsors were not providing support.

Refugees are accepted with an acknowledgment that economic criteria are secondary, but the potential abuse of the refugee-determination system is a concern. The system of hearings and appeals consume considerable time, during which claimants establish themselves in Canada and acquire additional claims to residence. Large backlogs have accumulated, resulting in highly-publicized cases in which the process of coping with years of litigation in itself became a legal basis for claims to residence rights.

(b) Politics of Immigration

Public Opinion. Public opinion polls show comparatively strong support for immigration (Simon and Lynch 1999). In most years since 1970, a majority have supported existing or increased levels of immigration. The proportion of the general public wanting reduced immigration has fluctuated between 30 and 46 percent, with a high point of 55 percent reached only in 1982, at the height of a recession when immigrants were more likely to be seen as competitive for jobs. Even in the early 1990s when Canada was in recession and immigration levels remained high, the proportion wanting to lower immigration levels never reached a majority. Majorities have occasionally agreed that “overall there is too much immigration to Canada,” but the proportion who disagreed with this statement reached a majority of 54 percent in 2000.

Political Discourse Among Leaders and Parties. Public discussions of immigration in Canada remain strongly supportive. There are no prominent anti-immigrant politicians, and with certain variations, all major political parties support immigration, as do labour unions and employer groups. The governing federal Liberal Party has the most pro-immigration record of any political party, and is committed to raising immigration levels to 1 percent of population per year. To its left, the labour-oriented New Democratic Party (NDP) endorses the “one-percent” target, while criticizing the government for failing to reach it. The labour union movement, with which the NDP is affiliated, is supportive of immigration, and regards the emphasis on economic migration as “elitist.” Parties to the right, and business representatives such as the Canadian Chamber of Commerce, while supportive of immigration, temper their enthusiasm by not mentioning specific numerical targets, and by including proposals to make the program more cost-effective. The lack of specific targets has been interpreted by some as a sign that these groups favour a reduction in immigration, though they do not say this publically. The Alliance Party, the largest party on the right, is definitely more hard-nosed on immigration, calling for stricter enforcement of sponsorship obligations for family-class immigration, and immediate deportation of “bogus refugees and other illegal entrants.” The Alliance would “severely penalize those who organize abuse of the system.”

(c) Economic Impact

In Canada it is widely assumed that in the current era, better-educated immigrants have a more
positive economic impact, because of their higher earnings and greater economic independence. Economists generally agree, although they lack consensus on methods for estimating this impact. Unlike the low-skilled immigration in the 1950s and 1960s, immigrants arriving in Canada since 1970 based on the point-based selection program generally possessed high educational levels. Earlier immigrants, particularly those from southern Europe, averaged 8 years of education or less, and worked in unskilled occupations – for example Italians in construction, or other groups in certain manufacturing industries. Over time as the selection criteria have risen, immigrant educational levels have increased substantially. The 1996 census showed that working-age immigrants arriving in the most recent 5-year period had an average of 14 years of education, and nearly 30 percent had university degrees (Reitz 2001b, p. 610). However, although the level of education of immigrants has been high, they may be less so when compared to young urban native-born workers who may be their primary labour market competitors.

In the years immediately following the introduction of points-based selection, immigrants to Canada achieved considerable economic success in relation to the native-born population. At the same time, immigrants also have encountered a degree of labour market adversity, or difficulty in securing work matching their high of qualification. Labour market concentrations of immigrants in occupations, such as Chinese immigrants in certain scientific and technical fields, black West Indian immigrants in health occupations, often represent a downward stop from previous employment. again often below their level of qualification. High rates of immigrant self-employment, particularly in certain groups, reflect frustration with opportunities in the mainstream labour market.

Immigrant earnings in Canada have been higher than for their counterparts in the United States. Part of this difference is related to unskilled Mexican immigration in the United States which does not occur in Canada. However, even immigrants from origins in Asian and the Caribbean have more favourable relative earnings in Canada. As Borjas (1990) points out, the skill-selectivity of immigration policy plays its intended role. However, despite Canadian immigration selectivity, immigrants in Canada from Asian origins are actually less well-educated than their American counterparts. It appears that immigrants in Canada have received an important assist from the late development of Canada’s educational system. After the immigration reforms of the 1960s, the most important reason for higher immigrant earnings in Canada was the lower educational level of the native-born workforce), which enabled immigrants to gain comparatively easy access to middle-class occupations (Reitz 1998). Canadian labour markets also allocate relatively high wages to workers in low-skill occupations, including many immigrants.

Since the 1970s, there has been a downward trend in the employment rates and earnings of newly-arriving immigrants (Reitz 2001b). Immigrants arriving in a period of high unemployment may be expected to encounter difficulty, as would any other labour market entrants, particularly those lacking local connections, experience, or handicapped by minority status. But Reitz (2001b) has shown that a significant part of the decline is based on the rapid rise in education in the native-born population: although the educational levels of immigrants have increased as a consequence of upgraded selection criteria, native-born levels have increased more rapidly. This creates greater obstacles for immigrants, and as immigrant qualifications tend to be discounted in the workforce, any increase in the emphasis on such criteria further widens the immigrant/native-born earnings gap.

High levels of earnings for immigrants has been a key “selling point” for the entire immigration program, underscoring a presumed positive contribution to the economy, and a downward trend in that success might be expected to undermine the program in political terms. As yet economic problems for newly-arriving groups do not quickly affect the overall tone of inter-group relations. Largely on the basis of such high income levels in the past, simulations of the impact on public finances show positive contributions (Akbari 1995). Still, high poverty rates are now reported in some groups. There has been increased attention to the problem of immigrants working below the level of skill for which they were selected – a so-called “brain waste” (Watt and Bloom, 2001; Reitz 2001a). Skilled immigrants may find that employers do not recognize their credentials as equivalent but as lower in quality or insufficiently relevant to Canadian conditions or the Canadian employment situation.

(d) Social Impact: Language, Multiculturalism, and Race

Understanding immigrant social and cultural integration in Canada requires attention to three circumstances which create challenges for policy management (Breton 1979). First, immigration in Canada must be managed in relation to its linguistic balance and relations between its two founding linguistic communities, English and French. Second, Canada’s official “multiculturalism,” heralded
within the country as a force promoting effective integration of immigrant groups, requires assessment. Third, racial divisions generated by recent immigration raise questions about the immigrant integration process.

*Immigrants and French-English Relations in Canada.* As immigration has increased the population (McVey and Kalbach 1995: 87-90), a new ethnic and cultural mix has affected the traditional English-French balance. On the one hand, up to the mid-1960s, linguistic assimilation of immigrants occurred largely toward the English-speaking community. On the other, among French-speaking Canadians, a higher birthrate helped maintain relative population size. In 1871, 61 percent of the Canadian population was of British origin, 31 percent French, and all others comprised 8 percent. By 1951, these figures were 48, 31, and 21; by 1971: 45, 29 and 27.

Even in Quebec, immigrants historically have tended to become integrated into the English-speaking or “anglophone” community rather than the French-speaking or “francophone” one. In 1971, among persons residing in Quebec with mother tongue other than English or French, transfers to English outnumbered transfers to French by more than four to one (LaChapelle 1980, p. 33). Hence immigration in large numbers has reduced the demographic significance of the French language in Quebec and in Canada.

Since the “Quiet Revolution” of awakening ethnic and national consciousness in Quebec, beginning in the early 1960s, the Quebec government has taken a degree of control over language, and addressed the impact of immigration. Through a series of agreements negotiated with the federal government, Quebec acquired substantial control of immigrant selection and settlement to ensure that while contributing to economic development, immigration does not threaten the cultural or linguistic independence of Quebec within Canada. Administratively, all matters related to immigration and integration of immigrants in Quebec are centralized within the Ministère des Relations avec les citoyens et de l'Immigration (MRCI).

Since 1970 Quebec has set numbers of immigrants, and their main characteristics. Regarding numbers, the current agreement provides that Quebec should receive the same number of immigrants as is its percentage of the Canadian population, with the right to exceed this figure by 5 percent. As well, Quebec should receive refugees in proportion to its overall percentage of immigrants.

Quebec administers its own selection system even though Canada retains the right to issue visas (and conducts background checks related to health and security issues). This system gives priority to persons fluent in French, as well as persons with higher levels of education, particularly in the French language. A 1991 agreement provides some provincial responsibilities for aspects of refugee selection, and for the short-term stay of temporary foreign workers. The Quebec government has also expressed an interest in increasing its involvement in the temporary foreign worker program (Black and Hagen 1993).

The fact that so many immigrants to Quebec leave for other provinces underscores a critical weakness in provincial selection schemes, undermining Quebec’s impact on the linguistic balance. Inter-provincial migration of immigrants favours high-immigration provinces of Ontario and British Columbia, as shown by the Citizenship and Immigration Canada study of interprovincial migration (CIC 2000) among tax filers tracked in the IMDB. This study shows that immigrants tend to move toward those provinces deemed more attractive: Ontario and British Columbia experienced net gains as a result of inter-provincial migration; Quebec lost the largest absolute numbers.

*Canadian Multiculturalism.* Although Canadian political leaders proclaim that Canada has always been a “multicultural” nation, throughout much of its history, Canadian immigration policy was “assimilationist” in the sense that immigrants were chosen for their perceived capacity for social and cultural accommodation in the mainstream populations. Earliest preferences were for persons of British or northern European origins, and initially admission of others such as East and South Europeans was forced mainly by market pressures. Federal multiculturalism policy was officially launched in 1971, largely as a product of French-English conflict. Because of pressure to protect the French language, the federal government initiated a policy of bilingualism and biculturalism, but abandoned the latter in favour of multiculturalism in the face of protests from cultural groups other than English and French, notably Ukrainians.

Upon its introduction, multiculturalism policy was immediately embraced by all parties, and at all levels of government. It has rapidly become regarded as a cornerstone of Canadian society, and was entrenched in Canada's Charter of Rights and Freedoms. Multiculturalism in Canada represents cultural tolerance, a a kind of “live-and-let-live” mentality, but also a positive recognition of the value of cultural diversity. It also has become an important national symbol of the metaphoric contrast between a
Canadian social “mosaic” and an American “melting pot.”

Immigrant integration is, in Canadian mythology, supposed to be assisted by multiculturalism, but no government funds have been allocated for “program evaluation,” reinforcing the impression that the policy is largely symbolic. Nevertheless, symbols matter. Analysis of higher rates of naturalization in Canada compared to the U.S. suggests that they may be a result of either the symbolic feeling of acceptance that immigrants feel as a result of multiculturalism, or the channels of government information into ethnic organizations and communities (Bloemraad 2001).

“Visible Minorities” and Race. Because of the predominantly European population base of Canada’s non-aboriginal population up to the 1960s, and sheer size of Canada’s continuing immigration program relative to the existing population, the impact of cultural and racial changes has been profound. In 1971, racial minorities (other than aboriginal peoples) constituted less than 1 percent of the Canadian population; by 1996 as a result of immigration they were 10 percent.

Consequently, race has become an issue in Canada. Experience with previous European immigration, with the trickle of U.S. blacks, or with issues of French-English relations and the status of aboriginal populations, may have helped prepare for the new racial diversity. But Canada has invented a new term, “visible minorities” (to avoid speaking of “race”), complete with its own legal framework, suggesting there are problems (see Henry et al. 1998)

Although most Canadians deny that they harbor racist views, they express preferences regarding the racial composition of groups in their neighborhoods or workplaces (Reitz and Breton 1994). Environics Focus Canada polls show large majorities reject the proposal that “non-whites should not be allowed to immigrate to Canada” (93 percent in 2000; Esses et al. 2002: 72). Yet the same polls show that a majority, 53 percent, agree that “Canada accepts too many immigrants from racial minority groups (in 1990, 91, and 92).

Canada’s policies addressing race tend to be ambiguous and ineffective. Canada's federal “employment equity” legislation, introduced in 1986, is a good example. “Visible minorities” are included as one of four groups designated for attention (the others being women, native peoples, and the disabled). The law covered only about 5 per cent of the workforce and included no effective monitoring or enforcement mechanism (Lum 1995). New employment equity legislation passed in 1995 authorizes the Canadian Human Rights commission to enforce compliance through the conduct of on-site employer audits, but covers only 8 percent of the Canadian workforce, and restricts Human Rights Commission jurisdiction over systemic discrimination in employment.

As racial issues have grown, some racial minorities have begun to oppose multiculturalism on the grounds that it assigns minorities a marginal status (Bissoondath 1994). Others oppose it because it is said to underpin identity politics that support the rights of certain minority groups, supposedly at the expense of either majority rights or the rights of other minority groups (Kay 1998). Still others view multiculturalism as an attempt to maintain a traditional ethnic hierarchy. Multiculturalism, it is argued, socially constructs cultural identities but does little to recognize and remedy inequalities based on race. Such criticisms have prompted governments to look hard for ways to cut the already small multicultural budgets or abandon the program altogether while still being politically correct. For example, as a result of a 1994 Federal Program review, funds allotted to multiculturalism has been reduced by 28 percent and reoriented from program to project funding. In short, the growth of racial minority populations is changing the role of multiculturalism, making it less a socially cohesive force, more a rallying point for demands for potent public policy to address issues of equality and human rights.

e) Emerging Issues in Canadian Immigration Policy

Canada’s immigration policy faces an uncertain future: controlling immigration and its impact may pose greater challenges in the future than it has in the past.

Having developed from a rural to an urban industrial nation, Canada is – or aspires to be – a post-industrial society with a knowledge-based economy, actively confronting globalization. For immigration policy, the challenge posed by this juxtaposition of circumstances is whether large number of immigrants can be recruited to fill highly-skilled occupations in an emerging knowledge economy. It would be politically damaging for immigrants to a welfare state to be seen as struggling or representing a potential threat to the viability of social services. Hence, a major policy focus is on the declining economic position of newly-arriving immigrants, particularly the large numbers arriving in the recession of the early 1990s. The Immigration and Refugee Protection Act 2001 (Bill C-11) took effect in June 2002 and includes provisions to facilitate immigrants’ economic roles. It provides “in-Canada” application for
permanent residency for temporary workers, spouses and partners, and students with a permanent job offer who have been working in Canada; this points to the role envisioned for temporary workers in high-skill knowledge-economy jobs. And it introduces a new multi-year planning process to provide greater continuity in immigration policy making. The key feature of the new policy is the upgrading of skill selection for permanent immigrants, with greater emphasis on education and language knowledge, and less on specific occupational skills. The retroactive implications of this change – the fact that many who applied and paid their fees under old rules would now be considered under more stringent selection criteria – provoked criticism. The government has backtracked on retroactivity, but is holding to the long-term goal of a dramatic upgrade in selection criteria. Should these efforts fail, Canada could be forced to curtail immigration significantly, as Australia has done, forgoing its developmental potential, or to opt for a more laissez faire U.S.-style approach, allowing immigrants to assume whatever economic role they can attain.

The integrity of the refugee determination process presents a second major issue in current immigration policy. Refugees represent between 10 and 20 percent of all immigrants. The rate of recognition of asylum applications is high, and Canadian policy has granted rights protections to applicants as they would to citizens, but substantial numbers are in immigration detention, about 450 at any one time. Because refugees are admitted for humanitarian purposes rather than economic criteria, because of uncertainty about the integrity of the refugee determination process, and because large backlogs have plagued the system and compromised its capacity for effective claim adjudication, some fear that the refugee system allows Canadian generosity to be abused. In the wake of the terrorist attacks on September 11, 2001, the new Immigration Act contained provisions to tighten access to the refugee determination system, which included more extensive initial screening of claimants, more explicit policies regarding detention, limitations in the appeal processes, and other legal opportunities to speed the deportation of those suspected of serious crimes.
References and Further Reading


