

Strategies of Survival Among Illegal Migrants in Montreal

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The Department

of

Sociology and Anthropology

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ABSTRACT

Strategies of Survival Among Illegal Migrants in Montreal

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This thesis using a case study approach examines the migration and employment strategies of illegal migrants in the labour market in Montreal. The migratory flows discussed are permanent in nature. The thesis also examines the role of networks in initiating the migration process and in securing employment in Montreal. It includes an examination of the conditions of employment and the sectors of employment. It argues that illegal migrants work in the secondary labour market, that is on the fringes of the formal economy or in the informal economy. Income disparities between North and South countries ensure that migrants continue to live and work illegally in Montreal. This raises a discussion of the strategies used by migrants to change their status to a legal status. The thesis discusses the experiences of both women and men. It posits the view that women are migrant workers in their own right and not only as dependents of male migrants. This is attributed to the increase in service sector jobs and the increased demand for paid domestic labor in the Canadian economy. It is concluded that immigration policies allow and maintain illegal migration and that there is a demand for this kind of labour in the Montreal economy. Furthermore, illegal migrants fulfil a particular labour market need.

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PART I

Chapter 1

Introduction

The Research Problem

This thesis is an exploration of the employment patterns of illegal migrants in Montreal. It also explores the arrangements which develop between employers and employees in the sectors of employment. An attempt will be made to develop a profile of the illegal migrant by examining 1) the means by which they obtain employment, 2) the types of jobs they get, 3) and the conditions of their employment. The profile will also include the strategies adopted by illegal migrants to gain admission to and remain in Canada. The thesis draws on existing research literature and attempts to extend and refine the findings by relying on the "stories" and experiences of illegal migrants themselves.

The issues undertaken in this thesis are linked to the question of refugee patterns in general, and are studied with the aid of the case study approach. In particular information relating to the numbers of people involved and the economic significance of illegal employment, should be treated with caution as by definition, their unrecorded presence is impossible to estimate accurately. As a result it is exceedingly difficult to identify their general patterns using aggregate estimations of employment history. This thesis is more modest in scope. Its focus is on the strategies employed by specific individuals. These findings are then placed in a larger context, namely, that of the Montreal economy and the structure of the

city's labour market. In doing so, this thesis contributes to a more detailed understanding of the problems faced by illegal migrants particularly with regard to finding gainful employment.

The thesis focuses on two groups of persons. The first group consists of persons who have made refugee claims in Montreal and who have subsequently been refused Convention refugee status. Such individuals are typically referred, to in immigration parlance, as "inland refugee claimants"¹. Inherent in this characterization, is the distinction between inland refugee claimants, as a particular migrant category and refugee claimants, who have been selected from abroad.

The second group is composed of persons, who entered Canada legally or illegally and who overstayed. Such individuals are referred to, in this thesis, as "other migrants"². This group lumps together interviewees who arrived in Canada as visitors, thus having legal status and those who entered Canada illegally, that is without proper entry documents. I am particularly interested in studying these two groups, because unlike other arrivals in Canada, they are not selected prior to entry into Canada.

A. Focus of Research

The research focuses on seven main areas of study, namely:

1. An identification of time of entry, country of origin, age, educational level, language proficiency, and employment history in Montreal;
2. An assessment of how an illegal migrant survives in Montreal. What is it like to be illegal in Montreal? For example, is one destined to a life of secrecy and forced to adopt an alias? How does one obtain medical attention in case of injury or illness?
3. An inquiry into the types of supportive networks employed in both the migration and survival processes in Montreal;
4. How illegal migrants learn of employment possibilities once they are in Montreal. An inquiry will be made into the role of social networks in providing assistance to subjects in this study;
5. An examination of the nature of subjects' involvement in both the formal and informal economies including "underground economies";
6. An examination of the sectors of industry in which illegal migrants are being employed;
- 7.- An examination of the effects of gender on the subjects' strategies of survival.

The central concern of this research is to gain a better understanding of the strategies illegal migrants use in finding and maintaining employment. The strength of the present research is its contribution to enriching our scattered knowledge of the complex processes of migration and networks and the nature of the illegal migrants participation in local labour

markets. Moreover, by confining the analysis to one small group of subjects in one delimited area, namely Montreal, it is possible to delve into the questions in a depth that would be difficult to at the level of general surveys.

B. Data Collection

In order to lend a temporal notion to the migratory process, the definition used by Richmond (1993,4) will be adopted in the present paper. This definition draws on the demographic convention regarding movements across state boundaries. Movements which exist for one year or more will be classified as migration, and movements of a lesser duration will be classified as temporary movements. Therefore, excluded from the sample are individuals from abroad who have less than one year of settlement in Montreal.

As a matter of fact the migrants who were interviewed entered Canada between the years 1983 to 1993. All were illegal at the time of the interview. Montreal was chosen as the city to conduct the study because I live in Montreal and Montreal is one of the largest migrant receiving cities in Canada.

To investigate the experiences of the migrants, a range of methods were used in this study. Participant observation was one of the methods employed and it occurred at several levels. First, in the course of my work as a para-legal working with illegals who seek legal counsel at the legal office where I work. Second in the course of my involvement with the

cases of illegals over a period of years, I grew to know the individuals quite well since they often ask me for assistance and information. Much of this is extremely personal and not directly involved with the immigration process. Illegals are, therefore, more than simply research subjects to me and this is reflected in the interview process. In this context, I am more than merely a researcher. I am a participant in their lives and in the larger social and legal context, as well as being a scientific observer. In playing this role I became the primary research instrument in the sense that based on my long familiarity with the history of the individual cases I contributed data to the research question itself given my long association with the informants. This role contributes a far greater fund of understanding to the responses than would otherwise have been obtained.

The case study approach was deliberately chosen in order to incorporate the rich material which was available to me of the experiences of illegal migrants, the legal ramifications of their status, their employment opportunities and the strategies they must engage in, in order to attempt to regularize their status with Canadian immigration.

Nevertheless, in order to standardize the nature of the responses I devised an interview schedule (See Appendix A) which permitted me to achieve some level of comparability between the subjects. It was an open-ended interview consisting of informal conversations with the subjects in the office where I work. The interview questions were semi-structured and were applied in two parts. In the first part, basic social and demographic data, were collected on all the subjects. In the second part, questions were asked, aimed at

reconstructing the subject's migration pattern, employment, and experience in Montreal. As such, insight was gained on social networks created and the extent of employment mobility. I personally conducted the interview with each subject, in either English, French or Spanish, which were the three basic maternal languages of the subjects. The closed and open ended questions were used during the interview in order to encourage more contextually grounded responses and to permit, as complete as possible, an oral history of the experiences of the subjects (Reimer, 1984). Some of the interviews were tape recorded, others were not.

In order to more fully understand the nature of the responses and to provide some continuity in the interviewees lives each narrative is followed by a number, this number corresponds to the subject number as it appears in the list of interviewees in Appendix B.

Considering the nature of the research, two ethical principles come into focus. These are related to the issues of confidentiality and informed consent. As the illegal subjects were recruited through a legal office where I work I had and have an obligation to maintain the subjects' right to confidentiality. The possibility of obtaining explicit written authorization before communicating the information to a third party was impossible to accomplish, given the reluctance of illegals to leave a paper track of any kind. Nevertheless, the subjects were advised that I was conducting a research project and was interviewing them for purposes of the research. In terms of disclosing the information received during the interviews, the norm which I adopted in the present situation, was the norm implicit in normal conversation (Sudman & Bradburn, 1987), that is, that it is permissible to communicate the contents of the

interview to third parties unless there is an explicit statement not to do so ("Keep this confidential!").

The term informed consent basically implies that the subjects who were interviewed, were given sufficient information on the topic they were being questioned about and the uses for the information obtained. This was particularly important, as the subjects were illegal migrants who could have been prosecuted and deported from Canada had their identity been disclosed to Canadian Immigration authorities. I took particular care to ensure confidentiality and security of the data obtained. In addition, the fact that the interviews were conducted in a legal office and by a paralegal cognizant of the legal principles, the confidentiality of client and counsellor was assured.

Despite the subject's familiarity with the interviewer, they still expressed misgivings about being interviewed. The following quotation is an excerpt from an interview with a male subject (No.11), which aptly expresses the hesitations of the subjects when they were asked to participate in the study.

"I do not like people asking me questions.
I get very nervous when people want to know my business"

All the interviews were tape recorded except the first four. Mike, like the other subjects, was very reluctant at first and apprehensive about the recorder. As he was about to speak he looked at me, cautiously and asked: "Is it between us?". He later became more comfortable but it was rather difficult at the beginning for him to open up to me.

It would be difficult for anyone else to elicit information from these people who are not supposed to exist. They are invisible and unofficial and wish to remain that way. The data that I was able to obtain is indeed rare. I myself have witnessed the hesitancy of subjects with me, an individual whom they have known for years and trust. For these people to disclose such information to a stranger would appear to be unthinkable. Christine another subject (No.2), echoes these sentiments when she says:

"Normally I would say No. I do not wish to be interviewed but with you, I do not think that I can tell you anything that you do not already know. So yes. When do you need me for."

The sample size was 20 subjects. The subjects were evenly divided by gender. The subjects were selected through my contact with the legal office where I work that specializes in immigration law. The contact with the subjects began prior to the interview. In some cases, I was in a position to meet the subject, while the subject first had legal status of being a refugee claimant. I was then able to follow the subject through the process residing illegally in Montreal after the subject was refused Convention Refugee status.

C. Data Analysis

I recognize that the sample selection may be bias. Thus, representativeness of the sample becomes an issue. I also realize that the selection of the subjects may be considered as non-random and biased, in that, they are individuals who have sought legal counsel and this very attribute may set them apart from other illegal migrants. Taking this into account, 30

other subjects were randomly selected from the pool of illegal migrant files in the same legal office and were matched on the same demographic characteristics as were the interviewees. These subjects were not interviewed, the information was compiled from their client files and they are referred to as the reference group. The findings for these subjects appear in Appendix B. However, it is my impression and my experience that illegals have internalized and accepted the idea that they need legal assistance in order to acquire residency rights, therefore, they will seek legal counsel when they feel ready to do so. Thus, I consider the sample to be a representative selection of illegals who intend to remain permanently in Canada because to do so requires seeking legal advice. Furthermore, seeking legal counsel provides them with further anonymity as the attorney contacts immigration and all information is divulged only through counsel thereby liberating them from the fear of speaking to an immigration official and being sent back home.

Beyond this, in order to place the sample in the context of the larger population attributes, data from the Immigration and Refugee Board, Statistics Canada and Census were reproduced to report on aggregate statistics. The official immigration statistics were informative on a number of variables most notably:

- 1) the numbers of people who are being processed;
- 2) are accepted as Convention refugees;
- 3) how many are refused and depart;
- 4) how many remained in Canada, but are statistically unaccounted for.

The interview data allowed for the computation of summary descriptive statistics on the following variables: gender; age at time of arrival; marital status at time of arrival and present marital status; education; country of origin; year of arrival in Canada; number of years of illegality; number of children reported at the time of arrival and number of children who accompanied the migrant; number of Canadian born children. These descriptive statistics were compiled for the sample in order to offer a measure of comparison with the national picture. In short, I wanted to see whether or not the Montreal subjects were similar or different from the national trends. Percentages were computed by gender and age, and these were subsequently broken down by the categories of country and marital status as well as by education.

Interview data are reproduced wherever possible in order to give the reader a feeling of what it is like to be an illegal migrant. Vignettes are also used to demonstrate the different possibilities being discussed and to provide a context from which the reader can better understand the migrant's experience.

The thesis itself is divided into two parts. The first part (chapters 1 through 4) describes the phenomenon to be studied, reviews Canada's immigration policies, defines the underground economy and reviews the literature on networks, strategies and employment. In particular chapter 2, examines immigration policies, which in effect make a statement about Canada's position on immigration, and thereby relays a message to prospective migrants - encouraging them to either come to Canada or effectively implying that Canada's doors are

closed and it is very difficult to remain in Canada without residency. Understanding the immigration policies is therefore pivotal in a discussion of illegal migration for it is crucial to an understanding of how migrants perceive immigration legislation and whether or not they believe that they have a possibility of finding a loophole and remaining in Canada legally. It is obvious that if Canada adopts a strict closed door immigration policy yet every decade introduces an amnesty aimed at regulating illegal migrants status in Canada then the more powerful image which migrants retain is that they have a chance of obtaining landing even if they arrive illegally. Thus, it is important to examine the actual immigration policy as well as how the immigration policy is interpreted. In this vein, chapter two, is sub-divided into a discussion of immigration policy for refugee claimants (group 1) and other migrants, most notably visitors (group 2). In chapter 3, the informal underground economy within which migrants are employed is first defined and then described. The origins of migrants and their activities are clearly explained. Chapter 4, presents a review of the literature on networks, strategies and employment in the informal labour market.

The second part of the thesis (chapters 5 through 9) begins by providing the reader with a profile of who are the illegal migrants in Montreal. Chapter 6, describes some of the main strategies used by illegal migrants who try to gain legal status namely through: refugee claims, sponsorship by a spouse, job offer, and/or serving as domestic caregivers. Chapter 7 examines the role of networks in the subjects' migratory process and in locating employment in Montreal and in acquiring basic services in a Canada. Chapter 8, explains the scope and nature of the informal market as well as what it is like, to be an illegal migrant working in the

informal labour market in Montreal. Finally, chapter 9 synthesizes the issues associated with employment in the labour market and proposes future research.

Chapter 2

Immigration Policies

Introduction

This chapter sets the stage for the subject data analysis presented in subsequent chapters. Illegal migration can be understood by contrasting it with legal migration. This chapter presents a summary of current and past immigration legislation.

The refugees and illegal migrants issue has become an acute problem in the last few years³ and has consequently, not been without its impact on Canadian demographics. The immigration policies under which refugees and visitors are processed and admitted to Canada are reviewed.

Canadian immigration policy has often been described as an "open door policy", where large scale migration has been actively encouraged. The history of this policy has been extensively documented in a number of reference works in the area of immigration policy, therefore only recent policy will be discussed in this chapter. Selected amendments to the Immigration Act as they apply to the larger issue of incentives for illegal migration will also be noted.

The first section of this chapter addresses the issue of in-land refugee claimants: who they are and what pieces of legislation and regulations cover their stay in Canada. Section two examines the policies which regulate the entry and stay of visitors, in Canada and then reviews the various regulations enacted over time which were aimed at reducing the problem of situation of illegal migrants who had overstayed and provisions for employers who hire illegals.

A definition of who is a refugee is given in order to provide the reader with a clear idea of what is meant by a "refugee". This is important to note because economic migrants are not considered to be refugees within the scope of the legal definition of a refugee. There is a need to highlight this as illegal migrants are more often than not economic migrants, that is they undertake migration to gain their livelihood. Nevertheless, they like any one else, are entitled by law, if they so chose, to file a Convention refugee claim. They know that the claim is likely to be refused as they have no grounds but the claim must be heard and during that time the migrant is a legal non-permanent resident of Canada.

SECTION I

A. WHO IS A REFUGEE - THE LEGAL FRAMEWORK

The basic structures and legal instruments to ensure the protection of refugees was established forty years ago. The Office of the UN High Commissioner for Refugees was set up as of January 1, 1951 and the UN Convention Relating to the Status of Refugees was adopted in July 1951. This Convention defines a refugee as a person who is outside his or her country of origin and is unwilling or unable to return owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion, Article I.A(2).

The essential purpose of the Convention was to provide a general definition of who was to be considered a refugee and to define his or her legal status.

B. A FEW FACTS AND FIGURES ON REFUGEE CLAIMANTS

When referring to a "refugee", it is necessary to distinguish whether he/she is a: (1) claimant, (2) former claimant granted "refugee" status or (3) a "Convention refugee" actually accepted as "landed immigrants". Only the last category are allowed full legal rights in Canada. Categories one and two, are temporary statuses wherein claimants are granted some partial rights of residence in Canada.

The 1991 Census, for the first time in Canadian history, attempted to estimate the proportion of declared non-permanent residents⁴ of Canada. Essentially, non permanent residents are persons in Canada as refugees or on student visas or on employment visa or as visitors. Until 1991 these individuals were not officially been accounted for in any statistical way whatsoever by Statistics Canada. These estimates refer to legal declared non-permanent residents in Canada. Table 1 shows that there are a total of 223,410 declared non permanent residents in Canada. This represents slightly less than 1% of the total Canadian population. However, there are variations amongst the provinces. Alberta and British Columbia have a percentage of non permanent residents as high as 3.56 and 3.73 of the total provincial population, respectively. Ontario and Quebec have smaller percentages of non permanent residents.

Differences can also be observed in the percentage of non permanent residents within the three major Canadian cities [Montreal, Toronto, Vancouver] wherein the percentage of non permanent residents of the total city population range from 1.3% to 4.48% respectively. The national and city percentages are higher than the national percentage.

Table 1

Population of total non-permanent residents of Canada, Provinces of: Quebec, Ontario, Alberta, British Columbia, by Census Metropolitan Area: Montreal, Toronto, and Vancouver by gender 1991 - 20% sample data.

Place of destination	Non Permanent Resident (NPR)	NPR in total Can. pop.	NPR in % of total NPR	% of women in NPR
CANADA				
Total Pop.	223,410	0.83	100	50.4
Quebec				
Total Pop.	43,970	0.65	19.68	46.5
Ontario				
Total Pop.	126,160	1.27	56.47	50.0
Alberta				
Total Pop.	14,085	3.56	6.31	54.8
Brit. Col.				
Total Pop.	28,035	3.73	12.55	56.2
Montreal				
Total Pop.	40,0950	1.3	17.93	46.4
Toronto				
Total Pop.	98,105	2.54	43.91	49.6
Vancouver				
Total Pop.	22,340	4.48	9.99	56.6

Source: Statistics Canada - Census 1991 data

Equally informative from the Census data, are the almost equal sex distribution (110,880 males vs. 112,530 females). This indicates that women are as likely to migrate as are men. This is important as men have traditionally been considered to be the persons to

migrate and women were viewed as their accompanying dependents.

The category of non-permanent residents is not directly relevant to the present research but it was important to describe this data, as it provides a profile of the migrants that come into Canada.

C. IMMIGRATION POLICIES REFERRING TO REFUGEE CLAIMANTS IN CANADA

Prior to 1970, Canada responded very slowly to the plight of refugees. Refugees were admitted to Canada on an individual ad hoc basis during this period. However, Canada had not developed a refugee policy or program(s) despite its implicit acknowledgement, that refugees were distinct from immigrants.

With the refugee explosion of the 1970s the immigration scene was transformed and this approach became completely inadequate. The inadequacy of this approach became apparent with the crowding together of four separate refugee movements occurring during the early 1970s, namely: (1) Uganda [1972]; (2) Chile [1973]; (3) Indochina [1975]; and (4) Lebanon [1976].

It was the simultaneous onset of these four major refugee movements, which led to a questioning of the existing ad hoc review of applications and pointed to the necessity of formulating a clear refugee policy, which would permit the government to exercise control

over such unexpected refugee flows. Canada's performance with these waves of refugees is a partial explanation for the government policy change that occurred after the last wave of immigration. I am suggesting that if Canada had been less selective in its acceptance of refugees from abroad perhaps the tremendous increase of in-land claims would not have occurred to the extent that it did.

Another part of the explanation may be found in Canada's immigration policy debates as to whether or not immigration is the solution to a declining Canadian birth rate. One school of thought argues for increased immigration of young, educated and skilled who will have a positive impact on declining population. As the native born population begins to age and fertility rates remain low it becomes necessary to use immigration as a means of ensuring the flow of young productive individuals into the country who will increase the national fertility of the country. Thus high immigration is used to compensate for low fertility (Beaujot, 1991). In addition, a common belief among migrants is that if they have a Canadian born child then it increases their chances of gaining admission to Canada.

Immigration policies have a definite impact on the flow of refugees, which is part of the larger migratory flow into Canada. In particular, four (4) sets of policies have been especially important in contributing to and perhaps accounting for the increased migratory flows, they are i) Immigration Act 1976 ; ii) the 1986 Administrative Review Program; iii) the 1989 New System of Refugee Determination; and finally; iv) Bill C-86 [1993].

I IMMIGRATION ACT 1976

The new Immigration Act passed in 1976, came into force in 1978 and included special provisions for refugees. Essentially, it instituted a procedure wherein refugee selection was based on the Geneva definition of "Convention Refugees" or on being a member of a designated class. The refugee framework consisted of six elements and ten objectives. It is worth noting that the main objective is to "support the attainment of Canada's demographic goals" coupled with its commitment to fulfil Canada's legal obligations vis a vis human rights international conventions, which is its first element. It is a curious balance with self serving aims. But it did make a distinction between immigrants and refugees. This allowed the government to plan annual immigration levels for the two categories through consultations with the provinces and the Federal government.

Canada's plans of refugee admissions proved to be unrealistic, in the wake of the increasing numbers of refugees making in-land claims. The intent of the annual refugee plan was not to establish a ceiling for total refugee admissions but rather, it was to set the total number of refugees whose settlement costs would be underwritten by the federal government for a given year. This did not preclude the possibility that other refugees could be sponsored by relatives or by private sponsoring groups and organizations. It is this Act that was in fact the first developed refugee policy that recognized refugees and immigrants as two distinct groups. In subsequent years amendments have been made to the Act of which three are reviewed below.

This is the Act that opened the doors to immigration to Canada. It permitted refugees to come to Canada and make a claim after arriving in Canada (in land refugee claims). Prior to the enactment of this legislation refugees were selected from abroad before arriving in Canada.

II. ADMINISTRATIVE REVIEW PROGRAM [1986]

The number of persons making inland-refugee claims increased tremendously over the period of 1979 - 1990. The Canadian government was for the most part unprepared to deal with such large numbers of claimants, given the limited resources available for the processing of claims. In the end, only a small proportion were processed each year. The result was a backlog in the number of unprocessed claims. Only a small percentage of refugee claim applications were processed in its entirety and a determination of Convention refugee status was made (Table 2). This meant that individuals were arriving in very large numbers, making a claim but not having their cases heard for years. Thus, the refugee claimant remained living and working in Canada. The economic migrants who were not refugees according to the Convention were delighted, as it they had temporary legal status in Canada and they were able to work. A backlog of unheard cases was therefore created.

Table 2

Refugee Claims Received and Processed, Canada, 1979-88					
Accepted					
	Received	Completed	Number	Per cent	Backlog
1979	1,165	1,085	365	33.4	213
1980	1,505	1,003	263	26.2	619
1981-82	3,582	2,020	453	23.0	2,096
1982-83	2,807	3,148	609	20.0	1,479
1983-84	4,283	2,648	1,084	39.7	2,673
1984-85	5,101	3,709	1,217	32.8	3,710
1985-86	4,099	4,017	1,044	26.0	3,526
1986-87	6,495	5,214	1,328	25.5	
1987-88	17,130	6,078	1,382	22.7	

Source: Employment and Immigration Canada, Annual Report, Various years.

The backlog left the government no alternative but to develop a policy that would eliminate the backlog through an expedited process and begin to hear all new claims in an expedient manner. To this end, the Government implemented an administrative review program. This program created a division between persons already in Canada who had claimed refugee status and whose claims had not been heard and persons who would make a claim after the announcement of the program. All persons who were already in the system were interviewed for landing by immigration officers. Claimants who 1) were able to demonstrate their ability to establish themselves successfully in Canada, 2) who had close family members here, or 3) who were in situations similar to those of refugees, were given

landed immigrant status. It was hoped that the accelerated processing of claims would discourage further fraudulent claims. If claimants knew their cases would be heard and adjudicated quickly they would not claim refugee status to "buy time" legally in Canada. A Government news release on the program, in May 1986 declared that "a fast turnaround of claims will help discourage non-bona fide asylum seekers from trying to enter the country to claim refugee status".

It is interesting to note the criteria under which the Government accepted refugees in the backlog program. An emphasis was placed on the suitability and adaptability of the refugees, whether or not they had worked and whether or not they had family in Canada. These are two of the major conceptions that migrants arrive in Canada with - they believe that if they have a job they will be allowed to remain in Canada legally. They also feel that they should receive landing if they have family in Canada and especially if they have a Canadian born child. These conceptions are grounded in the very policies implemented by the Government. They are disseminated and interpreted to the advantage of the migrants by their families, friends and by the migrants themselves. It is this ideology that is at the basis of the migrants' belief that if they come to Canada and stay long enough they will be able to get through and become landed.

Approximately 27,300 people qualified under the review, which is often referred to as an amnesty although it did not clear all of the backlogged claims (EEC, 1991, 96). It is argued by some jurists, that the review program was seen by potential refugee claimants and

others, as an amnesty and this encouraged them to make their way to Canada (EEC, 1991,97).

The fact is, that between 1986 and 1988, the increase in new arrivals created an even larger backlog of unprocessed claims. By the end of 1988, there were about 85,000 claimants awaiting for their cases to be heard by the Immigration and Refugee Board. An ironic and unintended consequence of the lengthy delays in the processing of claims was that it created an incentive for visitors, who did not wish to return to their country of origin, to remain in Canada for an extended period of time. They remained in Canada secure in the knowledge that it would take as long as five years until their cases were resolved.

A task force appointed to study the refugee situation suggested avenues for change and a new system of refugee determination was introduced on January 1 1989.

III. NEW SYSTEM OF REFUGEE DETERMINATION

This new system was conceived to address the problem of yet another immigration backlog. The number of in-land refugee claims was increasing at an astronomical rate and the Government was unable to process the claims that it received. As a result individuals knew they could make a refugee claim in order to "buy time". They knew that it could take up to four or five years before a final decision was made in their files. While they waited they could work or collect social assistance if they could not find work and they had a medicare card.

Essentially they had a temporary legal status.

The new system combined the refugee determination and immigration-appeal process into a new agency - the Immigration and Refugee Board (IRB) - which was independent of the Employment and Immigration Canada and answers directly to Parliament.

The new system introduced two stages into the process of refugee determination (Figure 1). The first consisted of an initial hearing where the eligibility of the claim for Convention refugee is determined, that is, whether the claim had a credible basis.

This system applied only to persons making a refugee claim after January 1st 1989. All persons already in the country, that is, those not accepted under the 1986 administrative review program and those awaiting a determination of their cases which commenced before January 1st 1989, became part of a new backlog. This program again divided the claimants into two separate groups, those who were in the system prior to the announcement and thus admissible to the program and those who would make new claims and therefore not part of this program. New claims were to be processed in a more expedient fashion and thus prevent the build up of cases. It was hoped that claims would be adjudicated within months of the claimant's submission of the claim. This would prove to be ineffective as well.

It is worthwhile at this juncture, to briefly explain the operation of the 1989 new determination system and how this system once again fell short of the government's

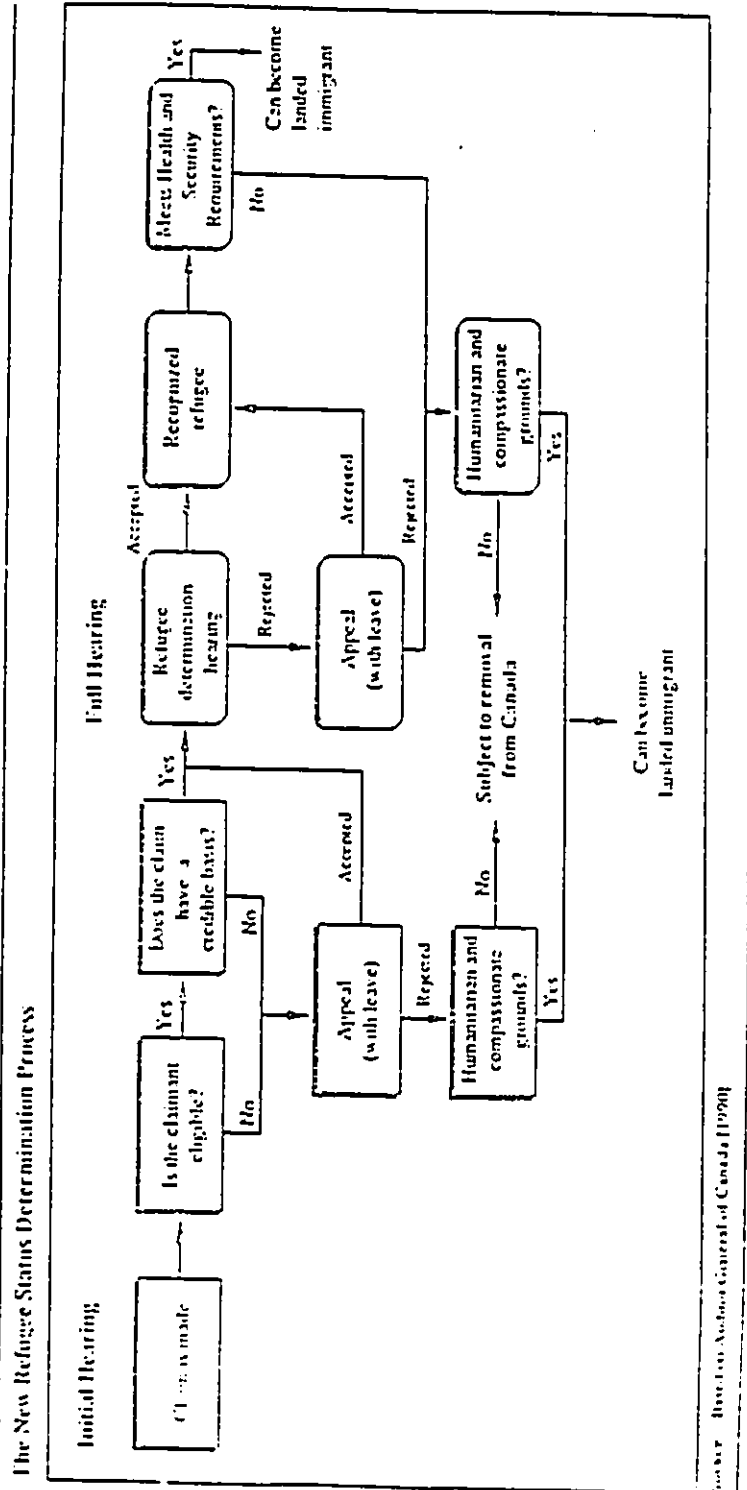
expectations. The IRB received a much larger caseload than expected for two reasons: the number of claims received and the number of claims going to a full hearing were greater than had been expected (Table 3). A provision of the 1989 amendments was to establish a list of so called "safe third countries", to which claimants could be returned. It was expected that this would remove about 40 per cent of the claimants from the hearing rolls on the grounds of eligibility. This did not occur and in effect only one per cent of claims were found to be ineligible.

Table 3

Projected and Actual Refugee Claims, Canada, 1988 and 1990-91		
	Projected	Actual
Claims received	18,000	36,000
Minus		
Ineligible	7,200	72
No credible basis	3,600	1,428
Referred for full hearing	7,200	34,500

Source: Canadian Employment and Immigration Commission,
Refugee Determination Task Force (projected):
presentation by the Immigration and Refugee Board, 20 December 1990 (actual)

Figure 1



In the first year, 13, 537 new claims for refugee status were opened, fifty-four per cent of which were still pending at the end of the year (EEC, 1991, 99). Overall acceptance rates, including both initial and full hearings, were seventy-six per cent in 1989 and seventy per cent in 1990, contrasted with the twenty - thirty per cent acceptance rate in the old system.

Table 4

Disposition of Refugee Claims, 1989-90	
Pending first hearing	14,045
Pending second hearing	9,454
Total rejected	2,168

Source: Auditor General of Canada, Report to the House of Commons, Fiscal Year Ended March 1990 (Ottawa, October 1990)

Furthermore, fewer than a quarter of the approximately 4,000 claimants found not to be Convention refugees had been deported as of September 1990. This amounts, in percentage terms, deportation for fewer than 5 to 10 per cent, of people whose claims to asylum have been rejected (EEC, 1991, 100). Incidentally, the rate would be about the same for 1993. Considering the extraordinarily high acceptance rates of initial hearings, the government began examining ways to streamline this stage and in February 1, 1993, yet another refugee system was introduced.

Claimants who were covered under this program were able to obtain work permits while they awaited for a date of interview or hearing. Persons making new claims (after January 1, 1989) were able to apply for work permits after their cases had been accepted under minimum credibility¹.

Another backlog was therefore created and the Government sought to reduce the backlog and reduce some of the very high costs associated with processing the claims.

IV BILL C-86

The refugee process which previously consisted of two stages has now been reduced to one stage in virtue of the regulations and this in order to cut costs. Refugees now have a threshold to meet even before they can get any kind of hearing on the merits. Immigration officers under Bill C-86 are given the power to decide at the time of a claimant's entry into

Canada whether or not they are disqualified under a list of criteria, which includes the possibility of obtaining refuge in another country through which the refugee passed through to prevent "asylum shopping" and criminal inadmissibility, that is, suspicion of involvement in terrorist activities or membership in terrorist groups. This is just an interview, not an inquiry. As a result, many people are likely to be turned away before there is a chance of securing legal representation ⁶, at the port of entry.

In terms of protecting the society, the government, as part of an attempt to intercept illegal migrants overseas before they arrive in Canada, requires citizens of countries that produce high numbers of non-genuine visitors, to obtain Canadian visitors visas before arriving at a Canadian port of entry.

The government is also pursuing more vigorously a policy of holding airline companies, that permit the boarding of passengers without proper identification, responsible through the institution of penalties. This is aimed at preventing would be in-land claimants from entering Canada⁷. Furthermore, Immigration officers at the port of entry have been given the authority to search people for documents whenever their identities can not be established. Persons suspected of being "document couriers" could also be searched. Amendments to this Bill were announced in the latter part of 1994 but these are not covered in this thesis.

Although the government periodically institutes a program to eliminate a backlog of cases and introduces a new program aimed at discouraging refugees from coming to Canada

and making a claim. The new regulations are announced as being really strict and a deterrent to non-genuine refugee claims. However, the deterrent is short lived as it is delivered conjunctly with a message that those migrants who are already in Montreal are processed differently and in a preferential manner. The regulations for refugees already in Canada are more lenient. The effect is that the government offers a contradictory message. On the one hand it seeks to deter refugees yet on the other, it rewards those who are already in Canada, by streamlining the process and thereby facilitating their admission to Canada. This message is what encourages not only refugees to come to Canada but other migrants as well, as they come to Canada knowing that sooner or later the government will introduce an amnesty and they will be granted landing.

SECTION II

A. IMMIGRATION ACT AND PROVISIONS FOR VISITORS

In August, of 1967, a new policy was introduced in Canada and became known as the "point system". This policy was an attempt to introduce the notion of the universal application of the law without discrimination *.

Problems arose in the implementation of this policy with regard to individuals who wished to migrate but who did not meet the requirements (i.e., did not have sufficient points). Anderson (1974,44) reported that "since Canada is known abroad as a country which does

not keep a close surveillance on aliens within her borders, it attracted many "visitors" who commenced work shortly after arrival.

The 1967 Immigration regulations contained an important provision, Section 34, which permitted visitors to apply for landed immigrant status from within Canada. At the same time, an Immigration Appeal Board Act was passed, thereby creating and putting into force an independent appeal tribunal empowered to make final and binding decision with regard to deportations. Effectively, under the said Act, any individual who had been ordered deported, had the right to appeal to the Board of Appeal and this regardless of the individual's status at the time. This meant that anyone receiving an unfavourable decision could appeal to the Immigration Appeal Board and in so doing "buy" more time. Meanwhile the person remains in status while awaiting a decision from the Immigration Appeal Board.

This combination of procedures was quickly seen by many "specialists" in immigration as a way of getting migrants into Canada through the back door. Hawkins (1972,46) reported, that, soon after floods of visitors began to arrive in Canada with the obvious intention of staying, applying for landed immigrant status and, if refused, filing an appeal of that decision with the Immigration Appeal Board, which had the power to permit them to gain residency in Canada on compassionate or humanitarian grounds. In fact, the longer the migrant stayed and the more successfully they settled into the Canadian mosaic the more likely they would be to be granted immigrant status.

"The events that took place between 1970 to 1973 in Canada are worth describing in some detail, as they illustrate a dilemma which faces all immigrant receiving countries - namely the unforeseen consequences of new or untried immigration laws and regulations, and the extreme care that must be taken in internal change of status. At the same time, they show how easily would-be immigrants can be persuaded to take considerable risks, often selling all their possession in the process, for the chance of a better life in a safe, and affluent country. It was Canada's most dramatic experience in recent years of the problem of illegal or undocumented migration"
(Hawkins, 1972, 46)

The effects of Section 34 became apparent within two years of its implementation. Visitors began flooding to Canada from the United States, Europe, Latin America, Asia, the Caribbean and elsewhere (Hawkins, 1972, 46). These visitors had learned or had been informed, through various networks, that the fastest route to immigration to Canada was via visitor status. The procedure was that the visitors would simply come, apply for landed immigrant status and if refused, submit an appeal to the Immigration Appeal Board. The end result was an increase in the numbers of visitors arriving in Canada as well as the number of cases before the Immigration Appeal Board. Figures reported by Hawkins (1972, 46), for 1970 show that approximately 45,000 visitors applied for residency from within Canada. This figure represented one sixth of all applications made in Canada and overseas. Anderson (1974, 44) reported that:

"immigration consultants found a thriving business among the many "working visitors" in Canada who wanted to "regularize" their status as landed immigrants. The immigrants

sought loopholes in the regulations, and were aided in this process by professionals, both in the country of origin and in Canada. One man in our sample stated 'I was in business for myself as a store owner. I applied (to immigrate to Canada) and was turned down. Later I went back and applied as a farm labourer and was accepted' ".

Thus the policy which had been designed by the government in 1967, as a humanitarian and compassionate act towards persons working illegally in Canada had backfired. The policy was geared towards visitors who were in the country and wished to remain in Canada as landed immigrants. However it caused further problems (Anderson, 1974, 44) reports:

"One man stated that many entered Canada in 1967 when the amnesty was announced. They had heard while overseas, that it was possible to come as a tourist and to remain here. Anderson notes that many potential tourists discovered that this route alleviated the long delays that usually followed applications made in the homeland. Anderson also reports that the immigration officials frequently looked with disfavour on visitors who apply for landed immigrant status after arriving in Canada and refer to them as <queue-jumpers>. The applicants had the advantage that they can remain in Canada and work for a considerable period of time while taking their case to the appeal courts. Often this process drags on for several years before a final decision is made. This immigration policy can be thought of as <non-policy> (Anderson, 1974, 44-45)".

The situation became critical by 1972. Hawkins (1972, 46) reported that between January and August, the average monthly rate of applications from visitors for landed immigrant status was about 4,600 and the backlog of cases before the Appeal Board was

increased. Considering the alarming increases in the numbers the government announced, in June of 1972, its intention to institute a review of appeal cases. The result was that this announcement was interpreted abroad by prospective visitors and by "agents" or "specialists", as they are commonly referred to, as a possible curtailment of the program. By September, the rate of applications from visitors had increased drastically, as appears below:

Table 5

Average Number of Applications Received Per Month in 1972

<u>Month</u>	<u>Number of applications received</u>
January - August	4,600
September	6,900
October	8,700

Source: Hawkins (1972,46)

At the same time, there was an increase in the number of visitors arriving at the international airports of Montreal, Toronto, and Vancouver. Hawkins (1972, 46) reported that as many as 4,500 visitors arrived at Toronto International Airport, on one weekend in October.

The response of the then Liberal Government, was to revoke section 34 of the Act, effective November 3 1972. Furthermore, on January 1 1973, regulations were enacted requiring visitors who remained in Canada for three months or more to register. In addition, all visitors seeking employment in Canada were required to obtain employment visas prior to commencing work in Canada.

These changes were effective from November 1973 onwards but did nothing to alleviate the backlog of claims already before the Immigration Appeal Board. Hawkins (1972, 46), reported that as many as 12,700 people were awaiting a hearing before the Appeal Board on January 1, 1973, and this figure had increased to 17,472 by the end of May 1973. This represented an increase of about 1,000 cases per month. These cases involved either illegal migrants or visitors to Canada. The Appeal Board was only able to handle about 100 cases per month.

Considering the above, changes had to be made to the system. In addition to the numbers reported above, there were also large numbers of visitors in Canada by the beginning of November 1972 who had been unable to apply before the November 3rd announcement and had therefore not yet applied for landed immigrant status. The government sought to correct this situation by introducing a couple of measures. First, amendments to the Immigration Appeal Board Act and second, what came to be known as an Adjustment of Status Program, for those visitors who had lived in Canada continuously since November 1972.

The Bill to Amend the Immigration Appeal Board Act was passed in July 1973. Some of the highlights of the Act were the appointment of seven additional temporary members to the Board. There were also changes to the existing rights of appeal, restricting them to permanent residents, persons possessing a valid immigrant or non-immigrant visa when applying for admission to Canada, and those who had made a refugee

claim.

At the same time, the Minister also announced the 60-day Adjustment of Status Program, in the hope of providing visitors with an opportunity to regularize the status of all those individuals who had been living in Canada continuously since November 1973. The Minister announced that this would enable the large numbers of persons then illegally in Canada "the opportunity to get their life in Canada off to a new and legal start" (Hawkins, 1972, 47). The Minister in his opening speech to the House of Commons insisted that he did not condone the migrants violation of the law but he did express an understanding of the situation which these individuals found themselves in at the time. The then immigration Minister Andras, was reported as saying that these individuals are perhaps:

"the unfortunate victims of unscrupulous, self-styled immigration counsellors, whom we know exist, who for a fee may have convinced them that they were doing no wrong in short-circuiting Canadian Immigration law. Others who knowingly violated the law in the way they entered Canada and remained here have nevertheless put down their roots, established families and settled into productive work

The right to apply in Canada for immigration status ... was a noble experiment that proved unworkable and has had to be laid to rest, but I think decency demands that it be done fairly

(these people would be allowed to regularize their status within a 60-day period only)

The clock starts ticking on the day
this Bill is proclaimed, and the
opportunity runs out permanently
60 days later"

(Hawkins, 1972, 47-48)

The criteria of admissibility for the said program were as follows: length of residence in Canada, family relationships, financial stability, and employment records, as well as humanitarian and compassionate grounds. The government expected to accept most of the applications received.

This program permitted all non-permanent residents in Canada to regularize their status and gain permanent residence in Canada. Essentially, the program criterion were broad enough to give all migrants a fighting chance of being accepted. Nonetheless, this was not considered by the government as an Amnesty. It was not a blanket acceptance of all non-status individuals in Canada but rather a case by case study of all applications with an aim to granting admission to Canada to as many hard working migrants as possible.

The Adjustment of Status Program of 1973 was effective between August 15 and October 15, 1973. A media campaign had also been launched in order to try to inform as many illegal migrants as possible. At the expiration of the 60 days a total of some 39,000 people from more than 150 countries had obtained landed residency in Canada. A total of sixty per cent of the applicants originated from illegal migrants while another forty per cent came from persons who had some kind of legal status in Canada. The distribution patterns of the applications are consistent with patterns of immigrant settlement. Hawkins (1972, 49)

reports that half of the applications came from Ontario, with a majority of those emanating from the city of Toronto.

Hawkins (1972, 49) argued that these findings pointed to the fact that illegal migrants come from everywhere. However, she believed in the commonly held theory that proximity is often a determinant of migration, as was apparent from migration stemming from the United States and the Caribbean, since she contends it provides greater opportunity. In addition, the author postulated that perhaps the high proportion of successful applicants from Hong Kong was an indication of familiarity with the English language and British institutions. These two factors may have been advantageous to a positive review. Furthermore, the illegal migration industry was a flourishing industry during the early 1970s.

The Adjustment of Status Program was judged to have been a success. However, the Minister's next step was to introduce changes to the immigration policies. These changes were reflected in the Government's Green Paper. This paper received Royal Assent on August 5, 1977⁹.

With respect to admission into Canada as a visitor, the Immigration Act states that every visitor shall make an application for and obtain a visa before arriving at a port of entry. This means that visitors must obtain a visa at the Canadian Embassy in their country of origin and they must convince an immigration officer that they are not intending to immigrate to Canada. The Act requires that nationals of certain countries obtain visitors visas prior to arriving at a Canadian port of entry. The list of these countries may change from one year to

the next. Migrants who are required to obtain a visas must meet selection criteria before being granted a visa by an immigration officer.

B. Immigration Act and Provisions for Employers of Illegal Migrant Labour

The discussion of immigration policies here, is confined to the legislation governing the employment of illegal immigrants or more generally of persons who are lawfully permitted to engage in gainful employment.

The Immigration Act defines employment as:

"any activity for which a person receives
or might reasonably be expected to receive
valuable consideration"

A Immigration Canada handbook further states that "some activities may be considered to be work even if the person doing the activity is not being paid for his/her services. It depends on the kind of work (assistance) and the circumstances under which it is performed.

The regulations as set out in the Immigration Act do not permit individuals who are not permanent residents of Canada, Canadian citizens or who do not have valid work authorizations to work in Canada. However Canada's policy on foreign workers permits employers to recruit foreign workers needed for the Canadian labour market. At the same time, though, it ensures that employers have considered Canadian citizens and permanent

residents and that the entry of foreign workers will not adversely affect employment or career opportunities for Canadian citizens and permanent residents. These jobs are temporary in nature and recruitment is done with an emphasis on the opportunities for fostering local employment through training and or improved business contacts or the facilitation of Canadian projects or contracts. A common feature of these job offers is the economic considerations of the government and employers.

To this end the Act provides for employer sanctions as per Section 97 which reads as follows:

(1) "Every person who knowingly engages in any employment any person, other than a Canadian citizen or permanent resident, who is not authorized under this Act to engage in that employment is guilty of an offence ... "

The Act in subsection (2) elaborates upon the meaning of "knowingly". It requires that the employer be deemed to have knowledge (emphasis my own) where the exercise of reasonable diligence would have provided it. The maximum penalty which can be imposed is a fine of \$5,000 and imprisonment for two years. In practice, the Courts tend to impose fines merely in the range of \$75 to \$500. The Canada Employment and Immigration Commission acknowledges that "there is little doubt that the area of employment provides one of the most fertile areas for enforcement in relation to illegal migrants". It is reasoned that employment possibilities are a strong motivating factor pushing people to enter or remain in Canada illegally. If employment opportunities were reduced, that motivation should also diminish.

I would add to this by saying that this must be seen in light of mounting global economic wealth disparities and sociopolitical polarization, which culminates in the international movement of persons in search of a better life. It is the growing disparity between First World and Third World countries and the increasing inequities in the distribution of wealth amongst the social classes of the Third World that is the background against which people are migrating. They are economic migrants. The lack of availability of jobs which is the means to the accumulation of wealth is what motivates people to migrate in search of employment. In this sense international migration is part of a transnational revolution that is reshaping societies politics around the world (Castells, 1993, 5).

The Immigration Act provides for employers who wish to acquire the services of an individual or group of individuals to fill a particular job in their home or company for a specified time period. The governments of Canada and Quebec are committed to authorize a foreign national to enter Canada for employment where no Canadian citizen or permanent resident is locally available to fill the required position.

As a legal point of reference, it becomes necessary to explicitly refer to the agreement which exist between Quebec and Canada with respect to the selection of foreign national wishing to settle permanently or temporarily in Quebec. Essentially, all persons wishing to reside in Quebec must meet Quebec selection requirements in accordance with the economic, demographic and socio-cultural needs of their region of destination, as well as Federal selection requirements before being granted admission to Canada or landing from within

Canada.

It is important to explain the legal procedure as job offers will be discussed as a strategy used by migrants to obtain landing from within Canada. Naturally, there are loopholes and ways around the regulations and these are used by would be immigrants who find themselves already in Canada and already working for a Canadian employer.

CONCLUSION

This chapter was concerned with setting the stage for the larger research questions and the analysis which will be presented in subsequent chapters. Illegal migrants were defined earlier in chapter 1. Because illegal migration can be understood only in the context of legal immigration, this chapter presented a summary of current and past immigration law with respect to both groups: refugees and other migrants. This discussion entailed an analysis of the implications of a divergence between the incentives for illegal migration and legal migration permitted under Canadian law. The fact remains that not all unsuccessful refugee claimants, or unsuccessful visa applicants or all visitors overstay. The kinds of people who stay have certain common characteristics, namely, a desire to migrate, an inability to successfully be recognized as a refugee or to obtain residency through other means, and all are willing to remain illegal despite the risks.

The immigration policies reviewed in this chapter have addressed the two major groups of migrants on which this research focuses, that is: refugees and other migrants. Despite the differences between the two groups, they are nonetheless comparable, as they exist in very similar situations and can often be, at different times, the same person. Hawkins (1988, 195) has remarked that "an undocumented migrant can sometimes achieve entry via refugee status, while the claimant for refugee status who is turned down often becomes one of the army of undocumented migrants".

The phenomenon of illegal migration is an extensive one and requires a complex legal social and economic analysis at both the individual and state levels. Remarkably, there has been little concerted effort for any kind of collective action beyond resolutions and recommendations. Any coherent and workable process would necessarily have to implicate and involve collaboration between receiver and sender countries. Internationally, the ILO (International Labour Organization) in 1975, introduced two instruments relating to "clandestine or illegal immigration": Convention No. 143 and Recommendation No. 151, which deals with the prevention and elimination of illegal migration and the abuses associated with it. The latter also attempts to ensure the protection of basic human rights of all migrant workers and calls for the cooperation between the country of origin and the countries of employment. The European communities also attempted to co-ordinate the policies of its member countries with respect to policies governing illegal migration. The United Nations has also attempted to draft certain guidelines and conclusions with regard to illegal migration.

Hawkins (1988), has discussed the effects of illegal migration on an individual or family trying to make a living in a foreign country without any kind of official status. She summarized the effects as follows:

"A foreign worker in an irregular situation, it was claimed, 1.- receives lower wages than a worker in a regular situation; 2.- never has any social security coverage; 3.- in the event of any claim concerning labour matters, cannot apply to any official body - trade union, labour court etc.- precisely because he is in breach of law; 4.- performs unhealthy or dangerous work without adequate protection or safety; 5.- is obliged to live in very poor conditions, both as regards housing and with respect to integration in society, because of various factors such as ignorance of the language, low level of culture, etc., 6.- frequently lives apart from his family; reunification is very difficult and has to be achieved, if at all, by illegal methods. Migrants in an irregular situation are trapped in a position of permanent inequality".

(Hawkins, 1989, 50)

The question which begs to be asked is why migrants will undertake such risks and live in a situation of "permanent inequality". The view which is advanced in this thesis is that income inequities encourage migration from less developed countries to more developed countries. International migration was buoyed by periods of unprecedented economic growth in the 1970s in industrialized countries, a by product of which was underdevelopment in other parts of the world. The views often expressed by interviewees in the present thesis is that Canada is a land of grandiosity, abundance and of prosperity, in essence, a land of

opportunity¹⁰. This was the image which was fostered and preserved by familial and kinship networks which sought to liberate other individuals from misery in the homeland to a country where hard work is thought to ensure a good standard of living in comparison to the opportunities available in the homeland. Immigration policies have also lent credence to this view. Immigrants migrated, hoping to permanently establish themselves abroad, with the hope of either having remaining family members brought over or support family members in the homeland, knowing full well that they did not have residency. What was transmitted back home was that "others had gone and had not come back which meant they had gotten through". At the same time immigration policies were introduced every so often with the aim of regularizing the status of refugee claimants and illegal immigrants thus encouraging others to come because they too would be able to get through. The result was that migrants remained in Canada, hoping for the materialization of a policy which would regularize their status. It thus becomes a waiting game. What will happen first? Will the illegal migrant be detected? Will immigration discover him or her before they have a chance to regularize their status?. Will an amnesty be declared? The illegal migrant lives in the hope that the Government will declare an Amnesty before they are detected by the immigration authorities.

This chapter has presented a summary of current and past immigration legislation. Chapter 3 defines the underground economy and defines illegal migrants in relation to this thesis. Thus, chapter 3 reviews some of the literature on strategies used by migrants to survive while in Canada illegally, the networks which assist the migrants in migrating and sustaining them in Canada and last but not least reviews some of the literature on women as

migrants. Chapter 4 examines the issue of gender and how gender differences are expected to bear upon the analysis of the interview data.

Chapter 3

The Underground Economy and Illegal Migrants in Canada Defined

A. Introduction

Discussions in the literature of clandestine employment or the underground economy sometimes confuse the two concepts. There is also a tendency to lump together casual labour and/or a wide range of services which were once produced in the formal economy and are now being produced in the informal economy, free of charge, at a reduced rate or in barter arrangements (Gershuny 1979, De Grazia 1984), with illegal, non-casual work mainly performed clandestinely by illegal migrant workers.

Most industrialized market economies in recent years, have increasingly incorporated an "other" economy, one whose existence, goes unrecorded in national statistics, gross national products (GNP) or official figures of national wealth (De Grazia, 1984). Other terms adopted, depending on the viewpoint of the observer, have been the "secondary", "hidden", "black", "informal", "underground", "parallel" or "twilight" economy or reference may be made to the "fourth" sector of the economy.

Most relevant, for the purposes of this research is the notion that the underground economy underlies the entire economy, formal and informal. Bagnasco (1990), has portrayed the hidden economy as standing head-on to the economy which is defined as such on the basis

of accepted rules and borderlines which are variable. Gershuny (1979), has also written on the proliferation of the underground economy as one of the three categories within the informal economy, which has seen an increase in the range of services which were and are to a certain extent produced in the formal economy and are being diverted either completely or partially to the informal economy.

The underground economy acts to counteract the inflexibility of the formal economy. I view the relationship as complementary because there appears to be a dualistic reality to the employment of illegals wherein they form part of the peripheral sector of the economy. That is, in some cases, firms operate with a core of legal employees and rely on illegals to supplement their regular labour force as a residual factor of production. In many cases, it is the availability of this residual factor of production which enables small firms to survive in a harsh economic climate. Beyond this characterization of the economy it is argued in this thesis that the migrants' lack of legal status in Canada places them in a sub-economy of the secondary market.

The vocabulary used to define this unofficial economy varies widely as do the working definitions used to investigate this complex phenomenon which encompasses quite different and sometimes contradictory social and economic realities depending on the approach used and the country concerned. This highlights the need for presenting a clear definition which will be used as an operational definition in this thesis.

B. Defining the Informal Economy

There is little agreement among theorists as to what kinds of economic activities are included in this domain and which are excluded. On the one hand, authors like Ross & Usher (1986) have developed a typology of the nature and structure of formal and informal economic activities. Included in this typology is the classification of the "underground economy". It is this particular classification that has relevance for the research question under investigation. It is defined as:

"encompassing unrecorded employment,
generally in the least skilled and
lowest paid sectors".
(Ross & Usher, 1986, 34)

Ross & Usher cite legal and illegal migrant labour as sources of labour for this economy. The sectors of employment of this economy which were identified by the authors were: domestics; seasonal farm labourers; and sweat shop labour (commonly associated with the garment industry). Other examples offered were piece-work at home, home distributorships and the like - in short the modern equivalents of the putting out system or cottage industry. The argument made was that, in these cases, employers were merely reducing their costs and responsibilities by circumventing the minimum wage, the labour code, payroll deductions, employee benefits and labour unions. This is but one definition of the informal economy.

On the other hand, Hart (1971) has defined the informal economy in terms of ways of receiving income. Robinson (1983) citing Alison Lever noted that anyone who attempts a global theory of the informal economy at an abstract level is undertaking a task of Herculean proportions. Nevertheless, it is generally agreed that most definitions can be subsumed as having two things in common:

1. That the informal economy is part of the dominant economy, which determines its main characteristics and from which it is not independent.
2. That the informal economy is largely defined by its opposition to state regulation.

(Robinson, 1988, 4-5)

Thus, generally speaking, the defining characteristics of the informal economy, can be said to be not only that it is outside the sphere of formal state regulation but that it originates in and is "integral to the structural conditions and processes in the larger society and can not be divorced from them" (Robinson, 1988, 5, citing Henry).

For the purposes of the thesis, what is pivotal to a defining the underground economy, is the unrecorded employment of illegal migrants in an informal manner within the formal economy. An informal economy being characterized by its escape from state regulation through a heavy but not exclusive reliance on a cash economy.

Wiegand's characterization of the "ghetto economy" is borrowed to describe the interviewees concentration in employment on the fringes of the core sector of employment

and with little or no job mobility .

Borrowing from all of these available definitions and in consideration of the above the definition of the underground economy, which has been formulated for this thesis is a very general, namely:

It is the sole, non-casual gainful unrecorded employment of illegal migrants, in an informal manner (that is beyond the fringes of the law) within the formal economy. This informal economy is characterized by it's escape from state regulation through a heavy reliance on a cash economy but not exclusively.

Despite its generality this definition encompasses all the contains the basic components found in the variously reported definitions of the informal economy. More particularly, it defines illegal migrant employment as being carried out on a regular remunerated basis. The advantage of formulating a broad definition is that it can be applied to all forms of employment, including those conducted on an individual basis or an organized basis and those which are paid in unreported cash or are paid by cheque (using their names or false social insurance numbers).

Having formulated a definition of the underground economy it is now necessary to define the category of people under investigation in this economy, more particularly, the persons who are defined as being illegal migrants. The definition of who is an illegal migrant in Canada is that used in Canadian law and is reported here, as it appears in the Immigration Act.

C. Illegal Migrants

An illegal migrant is any person who is in Canada without legal status or who does not meet the criteria contained in the Immigration Act 1976. The Act describes a legal resident as follows:

- Canadian citizen by birth or by naturalization
- landed immigrant admitted to Canada
- Convention refugee admitted to Canada
- visitor within the authorized period¹¹

Clandestine workers and illegal migrants have entered Canada through many different routes, despite repeated changes to immigration regulations aimed at preventing their entry. Therefore before proceeding further it may be useful to provide a brief description of the origins of migrants, an estimate of how many migrants are involved, the country of destination, the economic sectors which attract and employ these migrants as well as the economic repercussions of their presence in Canada.

The term migrant is used in this thesis as it covers any movement of people whether it is a visitor, a refugee or other. This is a broader connotation than immigrant. In fact, immigrant in immigration parlance is used to refer to individuals who have landing in Canada. That is who are recognized as permanent residents of Canada.

i. Ways of Becoming Illegal

Attempts have been made to determine how migrants become illegal and why they chose to do so. The Illegal Immigrants report has identified two routes through which a migrant becomes illegal:

1.- Migrants may enter Canada in contravention of the Act.

This may be done by entering at a place other than a port of entry and failing to report to immigration, or by entering under false or improper identification;

2.- Migrants may be admitted to Canada legally but become illegal, when:

- as visitors, they fail to leave Canada, upon or before the date of expiration of their visitor status;
- as students, they overstay after the expiration of their student visas;
- as foreign workers or temporary workers who have been contracted by Canadian employers to work, for example as seasonal farm workers or domestics, but overstay their employment authorizations or work in sectors not covered by their permits;
- as prospective landed immigrants who do not meet prescribed terms and conditions and fail to leave Canada;
(Canada Employment and Immigration Advisory Council, 1982)

to the above I would add the following:

- persons who make a claim to Convention refugee status but who are not recognized as refugees and fail to leave as required by law;
- persons who violate a condition of a lawfully permitted entry;
- persons who enter with fraudulently obtained documents, such as counterfeit visas or

- doctored documents;
- seamen or airline personnel who literally jump ship or airline personnel who do not join their crew for a flight to their next destination.

In addition, patterns of illegal migration have been documented. Powers(1979,7) has found a pattern of migration which could be generalizable to European and North American countries. The pattern of Canadian illegal migratory experiences is very similar to the one he outlined for Western Europe and the United States (Powers,1979,7):

"... One person arrives first and finds work and a home. Then the family comes later. In most cases. In most families the first to come was the father or a single man. They came to earn money for their families, or they came hoping to save enough to go back and buy land or a small business. But many stayed on and brought their families to join them

However, Powers remarks that:

... patterns of family migration to the U.S. in recent years have not yet been adequately mapped out

Nonetheless, it would appear that there is an obvious pattern of seasonal migration to the U.S.

... most seasonal and temporary migration across the Mexican border is undertaken, initially at least, by unaccompanied males: young single men who arrive as <indocumentados> (illegal migrants) to work ... "

Indeed, the pattern identified by Powers (1979) would appear to be rather common. Louise Lamphere et al., (1980,) writing about the Portuguese in New England points to the existence of the same migratory trends. A Canadian study on Portuguese migrants to Canada (Anderson et al., 1976) found the identical pattern to be true of the Canadian experience. Thus, it would not be premature to conclude that the migratory pattern of illegals or clandestine workers are comparable across countries.

Other patterns of migration involve migrants who may travel alone and later plan to bring over the family by marrying a citizen in the host country (thereby legalizing his or her status) or making a refugee claim or having a child born in the host country. A child born particularly in Canada and the United States automatically gains citizenship rights, and thereby creates new migrant chains (although not immediate). Once residency is obtained the migrant acquires the right to call for close family members under the rubric of family reunification pursuant to the Immigration Acts of the said countries. These patterns are not to be viewed as independent of each other as they often overlap in achieving the desired goal of residency. However, the migrant often is unable to pursue these routes alone or just with the assistance of family and must resort to the services of specialists or agents as they are sometimes referred to by those who seek them out.

D. Clandestine Labour Recruiters

Migrants who decide to migrate in search of employment take a calculated risk:

insecurity at home, with low annual incomes or unemployment and poverty, against steady work in Canada at income levels ten times greater and at a low risk of being detected (Powers, 1979, 14-15). Clandestine employment is not a haphazard reaction to social and/or economic conditions in the country of origin. Rather, it is a well orchestrated move in search of better living conditions. The push towards migration is often the result of the lack of employment opportunities in the country of origin and the desire to acquire money and wealth in a foreign country. This sentiment was aptly expressed by journalist Philip Mascoll, in an article in the magazine Caribbean Life (1984, 14-15,30) entitled "Why Am I Here in Canada":

"I am here because I want to live some place where the worker isn't paid a minimum wage of Jamaican \$30 a week (\$9.60 Canadian) for unlimited hours of labour ...

I am here because a bus driver can buy a home in my neighbourhood, send his children to the same schools as my kids, and if he works harder than me, make more money ...

I am here because everyone is entitled to decency and self-respect. People are not trained to serve from birth and kicked back down when they want to rise above the rank of server

I am here because in Canada, if you want to get out of the sewer, you can do it. If you want to stay in the sewer it is your choice ... "

Generally, the belief which influences the migrants decision to leave the home country is that the migrant is convinced that with hard work and a little luck he would escape poverty and build a better life for his family (Globe and Mail, 1994)¹². Anderson (1974, 1) summarizes

this view:

"Getting Ahead is often the principal reason for undertaking the sometimes risky venture of finding a job and a home in a new land. Most of the immigrants have discussed this topic thoroughly with friends, relatives and acquaintances prior to migration ... "

It is the prospective migrant's eagerness to work hard that lead him/her to rely on traffickers of illegal labour or on agents who will charge them exorbitant amounts of money to obtain for them false visas, passports and other documents which would facilitate their departure. As government regulations become tighter more and more people are shut off from official channels and turn to "agents" for assistance and expertise in bypassing the regulations. The result has been the creation of a network of "agents" who are very well organized and charge huge sums of money to get the individual to Canada. A wealth of examples abound in press reports. The routes which illegal migrants use are expensive and sometimes dangerous.

E. The Numbers Involved

There is a scarcity of data on illegal migration in Canada. The most reliable source of documentation on reports of illegal migrants comes from the press. Information gathered from press reports points to cases of organized smuggling of migrants with a view to gaining employment and landed residency in Canada. This type of trafficking is organized by one or more "specialists" in the country of origin.

A 1988 Gazette article¹³ reported that:

" ... 208 people who have lost money in attempts to obtain illegal visas warned Trinidadians not to deal with unscrupulous agents who promote or promise legal entry to Canada ... "

Another Gazette article¹⁴, June 12, 1994:

" ... An intricate global underground railroad is smuggling as many as one million people a year from poor nations to wealthier countries (like the U.S.) ... "

Yet, another Gazette article (April 17, 1994)¹⁵ describes the growing problem of illegals in Canada:

" ... illegal migrants are flooding into B.C. by the hundreds ... we only know they're here when they walk into an immigration office in Vancouver and make a refugee claim ... most illegal immigration originate in India and Central and South America ... "

This is not to say that all migrants require the assistance of agents. Other illegal migrants simply make their own travel arrangements and obtain their own travel documents individually or procure visas through the use of an invitation letter from family already in Canada and after having demonstrated to an immigration officer that they intend to return to their country of origin. However, in reality most are not coming to visit their relatives in Canada but rather are coming to fill jobs found by friends or relatives (Powers 1979, Anderson & al., 1984).

The size and scope of clandestine employment by illegal migrants is almost impossible to determine. Obviously, as their title "clandestine" implies, they are for all intents and purposes individuals who are "off the books" and "off the records" on two counts. First, Canadian law does not have exit controls thereby making it almost impossible to know how many people have respected the length of their stay in Canada and how many have not, which essentially means that it is impossible to estimate how many people remain illegally and presumably peruse employment. Second, once the illegal migrant, finds employment he/she is not on the books as they do not have work permits which would permit them to be properly accounted for to the governmental agencies. Employers are often willing to hire them, because it is said:

"they can be put to work for lower wages and longer hours than native or legal migrant workers. They will also do jobs that regular migrants would consider beneath them. They are not eligible for unemployment or sickness benefits or for family allowances. Because of their vulnerability, they are unlikely to become organized, and are ready targets for blackmail or other exploitation..." (Powers, 1979, 27)

In sum, they are easy prey to exploitation by Canadian employers.

Apart from its very nature, clandestine employment does not lend itself well to reliable statistical investigation. This difficulty is compounded by two additional factors: first there are very few estimates based on properly conducted investigations on the magnitude, past or present of the employment of illegal migrants; second, the research that has been conducted to attempt to quantify illegal migrant labour and the underground economy has tended to be

specific to that country, locality, region or economic sector. In addition studies of universal application are few and far between, and are of doubtful validity because of the methodology or approach used or because of the frequent confusion made between illegal migrant labour and other phenomenon (De Grazia, 1984, 11).

Despite these reservations, in recent years there has been universal interest in illegal migrant labour. The underground economy has existed under the auspices of many different names yet the problem is the same. In periods of economic prosperity, illegal migrants are welcomed to do the meagre jobs; however in periods of economic downturn they are perceived as a threat to Canadian jobs and to the Canadian workforce. Powers (1979, 62) notes that during the 1930s and at the end of the Korean War in the early 1950s, feelings ran high that the Mexicans were "invading" the labour market. The present echoes of these sentiments date to the oil crisis of 1974 and the ensuing problems of recession and high unemployment, which ended a period of unbounded prosperity. This brought on renewed feelings that immigrants were stealing jobs away from Canadians. A recent press reports¹⁶ cautions:

"... More and more workers in the major industrialized nations are blaming immigrants for everything from lost jobs to overburdened social services ..."

Canadian and Quebec estimates of the numbers of illegals have been documented in several reports. The first report entitled Illegal Immigrants was published in December 1982, with the following assessment.

"In quantitative terms, it is difficult to be accurate. The Council explored a number of ways in which the volume of illegal immigrants could be estimated. Upon close scrutiny, all of these, however, proved to be highly unreliable because of a lack of precise data. The estimates given to the Council during its interviews across Canada seemed to indicate, that the number of 200,000 quoted in the past, is not an unreasonable number and may even be lower than the actual number".
(Advisory Council, 1982, 3)

The figure of 200,000 has been questioned. Robinson (1984, 477) estimates the number to be closer to 50,000. He writes that:

"the difficulty and, indeed impossibility of obtaining an accurate estimate of the illegal population is obvious since it is an attempt to count the unknown. Once illegal migrants are known, they are subjected to enforcement procedures and are no longer part of the problem" .

A study conducted by the Ministère des Communautés Culturelles et de l'immigration entitled Les Immigrants Illégaux au Québec (Louise Trudel, 1978), estimated that there were between 5,000 and 10,000 illegal migrants in Quebec.

The Federal Government Advisory Council in its report expressed concern that the numbers of illegals in Canada would increase over time due to the following three contributing factors:

- The deteriorating situation in the Third World;
- tighter U.S. border controls making Canada

- an en-route destination to the U.S.; refugees and ethnic groups frustrated with long delays in bringing their families into Canada may resort to whatever means possible. (Illegal Immigrants, 1982, 3)

E. Economic Sectors

The Advisory Council Report, Illegal Immigrants (Nov. 1982, 3) noted the tendency for illegal migrants to be employed in the following industries: domestic services, cleaning and maintenance, restaurants, hotel, taxis, small manufacturers, and farms. Other reports on clandestine labour have cited the sectors of the building trade and agriculture (De Grazia, 1984, 13) as primary receiving sectors. Despite increased mechanization which took place in farming, Canada and other industrialized economies still rely on clandestine agricultural workers on a seasonal basis. A recent documentary by Garry Bertel entitled "Aller-Retour" described the migratory movement of approximately 800 Mexicans who work for a period of 3 to 6 months in Canada. The documentary estimates that there are some 5,000 migrant labourers in Canada. However, these numbers include those workers who have entered Canada legally with work permits and therefore are more easily "countable". It is realistic to assume that illegal male migrants work on farms. However, because work in this area is seasonal, and the illegal migrant is not eligible for unemployment insurance nor can he return home, it is not an attractive employment industry for illegal male migrants. This sector acts as a last resort if they lose a more stable job.

In order to remain competitive it is essential that employers have available labour seven days out of the week. Locals do not accept these conditions of work. Consequently farmers must turn to migrant labour to meet this demand. The local labour which is recruited consists predominantly of youths, who when interviewed stated that:

"... working on the farm is really when you don't have a choice, when you really can't find anything else ... we must work very long days ... the Mexicans work Sundays but not us because we want a day off,
<pour nous autres ça marche pas comme ça>"
(Bretell, G. 1994)

The shortage of local labour in certain sectors, whether skilled or unskilled combines with other causes of clandestine employment to explain the persistence of such practices in certain sectors of the economy.

Construction work in the building industry is another sector which attracts large numbers of illegal migrants. In Canada a 1990 Maclean's article¹⁷ illustrated the importance that the Canadian government attributes to migrant labour in the construction industry in Toronto:

"... arrangements (for the return of 5,000 bogus refugee claimants from Portugal) for a special program using rarely issued permanent employment certificates and the discretionary powers of immigration officers in Portugal to ensure that workers can return legally to jobs in Toronto area's booming building industry ... the offer applies almost exclusively to Portuguese refugees, who hold almost all of the lower paying jobs in the Toronto building trades ..."
(Maclean's Jan. 8/90)

Anderson (1974, 73) reports that for the most part the Portuguese migrants in Toronto are blue-collar workers of relatively low educational and occupational skills. Anderson's findings showed that the manual workers are predominantly employed in the construction industry.

Migrant women both legal and illegal can also be found among those employed in the home, in "cottage industries". Johnson and Johnson (1982) writing in the 1980s found that homework was flourishing. They reported that many garment manufactures had switched a large part of their operations, particularly finishing work, from factories to a homework system (Johnson & Johnson, 1982, 9). Today, we can point to a trend in this direction among a wide variety of manufacturers including textile, clothing, knitwear, footwear, electronics and metal working (De Grazia, 1984, 13). These industries are breeding grounds for undeclared work (Meintel et al., 1987, 274).

These findings are consistent with European trends (De Grazia, 1984, 19-20) who found that in France, clandestine immigrants are generally found in agriculture, clothing, building, hotel and catering sectors. The Federal Republic of Germany employs illegal migrant workers mainly in the building and related industries, painting and motor vehicle repair (De Grazia, 1984, 21). The majority of illegals in Germany are Turkish. However, Germany has a very unique immigration policy, which reserves citizenship to people of German blood. This is different from Canada and the majority of countries where citizenship is attributed on the basis of birth on the land or long term residency in the country. Germany is a very special, highly disputed case because its immigration policies fuel a huge black market in that country.

This therefore renders the definition of an illegal more complex. The comparison here, is simply a general one looking at the industries of employment and does not take any of the above considerations into account. In Switzerland indications are that illegal migrants are particularly visible in the building, agricultural, hotel catering, cleaning and residential medical and nursing sectors.

De Grazia (1984) reported that our closest neighbours, the United States, employ substantially larger numbers of clandestine workers than Europe and this primarily in the sectors of : agriculture, hotel and restaurants, in cleaning services and in the clothing industry.

To conclude, it may be said that Canada does not set itself apart from the United States or Europe on the range of occupations which attract migrant labour. What quickly becomes obvious is that illegal labour can exist in virtually all sectors of our economy, whether private, public or semi-public. This thesis explores the arrangements which develop between the employers and employees in these sectors of employment and how these arrangements essentially receive an almost tacit approval by Government.

There is general agreement among theorists that the employment of illegal migrants, because of the very large numbers of workers involved, must have a considerable impact on the economy. At the same time there have been practically no studies that assess the economic importance of the employment of illegal migrants. Ross & Usher (1986) conducted a study in Canada which estimated the value of the underground activity between ten and fifteen per

cent of the GNP in 1981. They estimated this figure to be between \$33 and \$49 billion. In addition, the authors conclude that this level of activity may be supporting as many as 150,000 full time jobs.

G. Consequences

The question which is continually asked is whether or not these illegal migrants fill a vital void in the job market which would otherwise remain unfulfilled. In other words, is there a structural demand for illegals given the kinds of jobs they are willing to perform?. The incentives available to the illegal migrants will be explored further in this thesis, as will the role of employers in the maintenance and perhaps even proliferation of illegal migrants in Montreal. Illegal migrants are often exploited by their employers. As pointed out by Chiswick (1988, 98), exploitation may take many forms, among them being payment of "subminimum wages or the payment of wages lower than their productivity by their employers. He argued that a corollary of the existence of exploitation is that illegal aliens have little or no job mobility".

There are also negative consequences for the state and for society at large in that the illegal migrants do not pay taxes or contribute to other plans funded through employment contributions.

In addition they are a burden on the state budget when one considers that the state pays for education, medical costs and welfare of the illegal immigrants¹⁸.

However, there are certain benefits to employers to be gained in the lax policing of illegals, as it permits employers to exploit the pool of cheap labour. Employers may prefer to hire illegals rather than pay competitive wages to the regular labour force. Illegals for the most part are paid cash thus the employer avoids paying for fringe benefits as well as the costs of contributions to pension plans, unemployment insurance, workers compensation, and vacation pay. Further, they do not declare taxes.

Beyond, the financial benefits to an employer there exist coercive work motivators which are equally beneficial to the employer and to the disadvantage of the employee. A work ethic of secrecy is permeated by such arrangements whereby the employer gains the loyalty, gratitude and trust of his/her employee in exchange for the employer providing him/her with employment. The arrangement is beneficial to the employer who can oblige the employee to work longer hours, work for minimum wages, perform the less attractive duties and force the employee to remain in his/her employ or else threaten to report the illegal to the immigration authorities.

Trudel (1978) reports on a number of cases of illegal immigrants which clearly illustrate the benefits to employers as well as the existence of this work ethic in the illegals workplace

Trudel reports that:

"To be an illegal immigrant in Canada is to live in fear and work for slave wages, but its better than being sent back home"

A commentator in Trudel's study stated,

"(illegals) work in the noisier, dirtier jobs Canadians won't take - battery plants, worm picking, restaurants, plastic factories, textiles, office cleaning - usually for minimum wage and quite often for less..."

Another illegal immigrant explained,

" ... who would tell? An employer paying an employee below minimum reports an immigrant who has left for a better job. A worker reports another because he covets his job ... "

Trudel cites another case where,

"A job in a plastic factory ended one day when the RCMP came to pick up a Jamaican girl. When they left, the boss asked everyone for proof of status. The next day, Malik and 12 others did not show up for work. When they called to get the last weeks pay, the boss said

<I know your position. Don't ask for your cheque or I will deport you>

Says Malik:

"We have no legs, no hands, no tongues. We are illegal"

Conclusion

This chapter has defined the underground economy as it was used for the purposes of this thesis and second, to define who was considered as an illegal migrant according to Canadian law. In addition, this chapter provided a window onto illegal migration describing the origins of illegal migration, the motivation for illegal migration and lastly, the recruitment of illegal migrant labour by "agents". An attempt was made, using a number of sources, to estimate the numbers involved in illegal migration. Followed by a description of the geographical location of illegal migrants in Canada and the economic repercussions and the consequences of illegal labour in Canada was highlighted.

A literature review of research in the area of strategies, networks and gender is presented in the chapter 4.

Chapter 4

Illegal Migrants: Networks, Strategies, Employment and Gender

SECTION I

Illegal Migration

A. Illegal Migrants

This chapter focuses on why and how illegal migrants are found across Canada and elsewhere. The growth of illegal migrants is in part an indication of the inability of governments to control immigration as fully as they say they want to. Currently, the immigration policies of the Government in Canada as well as in Europe and the United States can be characterized as being one of "non-entrée", which essentially focuses on denying access to the country. This policy replaces the previous policy of "non-refoulement". In Canada, the tools used to enforce this policy have been multiple. Canada imposed, strict entry conditions for immigrants, restricted family sponsorship and imposed visa requirements conjunctly with airline carrier sanctions for individuals who board planes without proper documentation. That is airline companies that do not ensure passengers have proper identification are fined by the Government.

However, the Canadian Government has not combined border control and port of entry controls with internal controls, particularly exit controls. Chiswick (1988, 12) writes that "illegal migration exists (in part) because of imperfect enforcement of immigration law.

Illegal immigration would end if all attempts at illegal entry or violating a condition of a legal entry resulted with perfect certainty in an instantaneous apprehension and deportation". The present research findings support this view and find that as long as the risk of being caught remains minimal, migrants will continue to flood into Canada in search of a better life. A Montreal immigration officer reporting on the case of an apprehended female illegal migrant, in April 1992, described a scenario which is very common among the subjects in the "other migrant" category:

" You apparently arrived in Toronto, either in July of 1990 or July of 1989. You apparently arrived here on a tourist visa to visit a friend apparently in Montreal. You were admitted for three months and you've been in Canada ever since. You never came to the immigration authorities except this week when arrested by the police ...

Since you have been in Canada you have been working day and night as a domestic and doing some cosmetic work also. You have been sending money back to Jamaica for your kids. The reason you stayed is, when asked, that the standard of living was best here. You stayed here to have a better living. Your intention in Canada was to continue to work under the table as long as possible and maybe wait, you never know, for an amnesty." ¹⁹

B. Exploitation of illegal migrants

Many have argued that illegal migrants can be found wherever there are restrictive or discriminatory immigration practices, and employers willing to hire clandestine workers

(Power, 1979, 26). This view is one which is taken in this paper. It is argued that Canadian immigration legislation, on the one hand, officially discourages and increases border controls of movement into Canada but on the other hand, the same policies are not enforced because they are economically beneficial to certain economic sectors and to employers who benefit from cheap migrant labour. For example, foreign domestic workers and nannies permit professional, educated and higher class women to be employed outside the home and pursue their careers while their children are taken care of in the comfort of their homes by the illegal migrant worker. Furthermore, the government's tacit acceptance of illegal domestic workers also reduces pressure on the government to develop and subsidize universal quality day care (Cohen, 1994; Arat-Koc, 1986). This practice has been aptly characterized by Marie Boti, as *Brown Women, Blond Babies*²⁰. Boti, argued that:

"people in receiving countries find these women so attractive because they are giving all this love, warmth and cuddling. They do this because they are parents themselves. It is a heartbreaking situation".

" ... Mothers themselves, they end up working in jobs where they lavish the love and caring meant for their own children on others ... "

Cornacchia, journalist for the Gazette (25-04-1994) claims that these women:

"offer more developed countries an attractive alternative to day-care centres and expensive cleaning services ..."

Cornacchia cites Denise Caron, as saying that:

"All these women would not be coming, travelling here, if there weren't employers."

However, the question which becomes relevant is to understand whether or not these migrants are being exploited? But what is exploitation? Chiswick (1988, 97) has offered an operational definition of exploitation which will be adopted in this research: Exploitation usually means that the individuals are being paid below minimum wages, below productivity rates and/or are in substandard working conditions. Illegal migrants, because of their situation, are often recognized as being the worst exploited group in society.

The question which arises is whether or not this is an accurate assessment. The response to this question divides theorists into two camps, one arguing that illegal migrants are the worst exploited (Powers, 1979; Piore, 1980) and the other relegating exploitation to isolated cases of blatant exploitation. Chiswick (1988), subscribes to the latter view, and reported that this situation is not static. Rather, he held that exploitation is a relative phenomenon depending on whom illegal employment was compared with. The issue becomes whether illegal aliens have lower status jobs or get paid less than all other workers or just certain groups. Chiswick (1988, 98) found that "while there are individual horror stories of illegal aliens kept in virtual bondage, these appear to be isolated instances". Chiswick, explained that it is not possible for employers to indulge consistently in blatant forms of exploitation because elaborate information networks exist among illegal aliens. These networks were vital in transmitting employment conditions and wages.

Anderson (1976) found employment networks and also found that illegal migrants are tremendously mobile and have the capacity to easily pick up and leave in search of better employment opportunities on the advice of family, friends or acquaintances. Thus, it may appear that the job conditions and wages of illegal migrants do not vary much from those of other immigrants. This lack of variation is attributed to very well orchestrated networks among the migrant population. Nonetheless, Chiswick explained the lower wages of illegal migrants in terms of a reduced attachment to the labour market and because of employer knowledge of their "situation", which translates into less attachment to the country and the job, and also translates into vulnerability, which can easily be exploited and used as leverage for retaining the illegal migrant. An employer would be more reluctant to invest in the training of an illegal migrant because that individual's stay in the country could be terminated without much notice. For the employee this situation results in little or no job mobility.

C. Migrants in the Secondary and Underground Labour Market

In terms of the human capital theory (Piore, 1980) illegal migrants are over-represented in the secondary labour market hence their labour market experiences may not differ much. That is, in the sense that the secondary sector, is defined by low wages, poor working conditions, low social status, little security or career advancement. The jobs found in this sector are generally unskilled in the sense that they either require no skills at all or they have basic human skills which most people have. Employees in this sector are characterized by instability in the labour market, high turnover that is, frequent turnover in and out of the

labour force (Piore, 1980, 17).

This overarching definition of the secondary labour market creates the illusion of two labour markets, each of which is relatively homogeneous in its distinctive characteristics. Yet, there exists a number of markets within the secondary sector, most notably the formal and informal market. The informal underground "paperless" market, described in chapter three, is marked by discrimination and insecurity.

SECTION II

Networks in the Migratory Process

Introduction

Much has been written on the subject of patterns of migration. The literature has primarily revolved around the notion of how networks operate in the migration process, and how information is transmitted about migratory destinations, and about employment possibilities.

Studies on networks and on the role of family relationships became salient after the publication of a number of studies on families in London in the 1950s (Bott 1957; Young and Willmott 1957). Since then, the interest in the role and function of networks has continued to grow and to cover a variety of network structures and their different uses. The literature has documented a plethora of uses for networks which include using networks as social

control, and/or for such instrumental activities as obtaining jobs, distributing goods and services, and building political support (Bott 1971, Mitchell 1969, Granovetter 1974). The literature is primarily structural in nature, that is, it is mainly describing the form and the functions of networks. To a lesser degree, research has been undertaken describing the relationship between social networks and the economic factors that shape them (Lamphere, 1980). More particularly Lamphere (1980), examined the interaction between family role relationships, kin networks, and economic variables, thus going beyond a mere description of the networks and adopting an investigative examination of the local economy and its impact on the family and social network.

Literature on social networks in the area of migration show that there are two sociological arguments, chain migration (MacDonald & MacDonald, 1964) and social network theory (Granovetter, 1974). The chain migration argument, has been a focal point of research that has sought to demonstrate that individuals move to another area in the train of others - family and social contacts - who have moved there before them, and who smooth the way in finding housing and employment (Granovetter, 1974, 43). The social network theory, on the other hand, as presented by Granovetter, shows that under certain conditions, weak ties - those involving relationships between acquaintances - as opposed to strong ties - those reflecting relationships between close friends and relatives - can maximize information flows and social mobility opportunities (Boyd, 655).

Caribbean migration has been the subject of many studies in that it represents cases wherein women migrate in search of employment in order to support their families. In fact, Caribbean migratory flows have been described in terms of "migration as livelihood" (Glick Schiller et al., 1992, 5). This description is consistent with my own arguments in the present research. Moreover, I contend that this description is not limited to Caribbean cases rather, it is typical of much of the migration which has been undertaken within the last decade. In more general terms these migrants are described as economic migrants. I prefer the terminology of migration as livelihood because it summarizes why the migration is being undertaken.

Economic migration is a more encompassing term yet livelihood for me, means that the migrant is leaving because he/she can not earn their bread and butter back home. The migrant can not find a job at home or there are no jobs available for the unskilled migrant. Economic migrant can be associated with the economic situation of a country - a civil war may have reduced the employment opportunities and the economy is depressed as a result of the war. Interview data are expected to confirm that in fact they left their homelands to earn a living - to feed their families, to clothe their children, to educate their children etc.

The following review of the research literature examines the relationship between macro and micro social influences. That is the role and influences of social networks in migration. It suggests that one should study migration as a social product and not solely as a product of individual motivations (Boyd, 1980, 640-41). It is thus against this scenario that

I examine what the importance of networks and their role in migration.

A. Migration in an Historical Perspective and the role of Networks

It is thus within this scenario that I examine the importance of networks and their role in migration. Historically, argues Zolberg (1992, 37)²¹ it was the emergence of powerful European states in the 15th century which paved the way for a distinctive era in the history of human migrations. The world's population became a single migratory system largely as a result of the successful linkage of the world's oceans in a continuous network of transportation. Zolberg (1992, 38) contends that rapid population growth coupled with the industrial and democratic revolutions propelled rural populations to migrate to the cities in search of work.

Thus, the migration of peoples from the countryside (traditionally poorer parts of the country) to the cities (more prosperous) in search of better opportunities and the acquisition of wealth through employment is not a new phenomenon. It was an inevitable result of industrialization. Employers, in turn, welcomed this new brand of workers because foreign labour was cheap and exerted a downward pressure on local wages. Furthermore, employers benefitted from the ability to dismiss these workers without compensation when there was no need for them. Finally, Zolberg (1992, 38) argues that the situation which we face today emerged in the latter part of the 19th century. Its defining characteristic was the formation of a growing gap between a small number of technologically and industrially advanced

countries and a large number of countries which were underdeveloped.

Technology facilitated and enhanced the rapid availability of information on the conditions existing in developed countries and highlighted the importance of networks. Technology permitted citizens of less developed countries to become more mobile and enabled them to relocate outside their country of origin in search of a better life. Later, the spread of information was also facilitated through the availability and accessibility of electronic media, on the one hand, and the increased use of technology to transmit verbal messages to each other. Thus, given increased mobility, families and kin increasingly came to be separated through migration.

Family members and relations who remained in the homeland awaited news on the departed loved ones, information on the new world and remittances to allow them to increase their local standard of living. The migrants obliged by transmitting accounts of their experiences and encouraging others to join them abroad, thereby, attracting what may be called a "second wave" of migrants. The defining characteristic of this wave as opposed to the first settlers, was that, these people "came to" someone they knew; they were therefore assisted relatives.

Initially, many countries recruited individuals for short durations of time, to meet increased demand for labour migrants then returned to the homeland when the demand decreased. A contemporary example, of this trend are the European "guest worker"

programs (Castells, 1986)²². Inevitably, though, migrants who participated in these expeditions acquired a taste for the host country. After having enjoyed higher wages and a better standard of living many did not wish to return home at the end of the contract. Instead, they chose to stay. Some had already been joined by their families and others wished to have their families join them in the host country. The result was that, what was initially a temporary migration began to take on a more permanent character. Beyond their contract period governments in the host countries revoked their legal rights. As a result those that remained did so in a state of illegality.

It has been suggested that in the mid 1970's and again in the early 1980's, the changing composition of migration flows to industrialized nations followed economic downturns. Boyd (1990) cautions that attributing the shift solely to a depressed labour demand is facile. She argued that these trends reflected the maturation of migration streams, stimulated by networks based on family/household, friendships, community ties and relationships (Boyd, 1990, 639). These networks which are social in nature bind persons across space and time. Equally important was the binding effect of these relationships as sources of information and assistance.

B. Theories Explaining the Decision to Migrate

Most migration theories include a reference to the push-pull theory. The theory postulates that people moved either because they were forced to move because of social,

economic or political conditions in their homeland or were attracted to the place of destination by certain social, economic political facts which existed there (Smith, 1986, 8-9)²³.

This thesis deals with the "pull" factors rather than the "push" factors. It was at times difficult to characterize the factors in migration as either push or pull. Nonetheless, this characterization was useful as an analytic tool. In the case of economic motivators it is important to recognize that both push and pull factors are at work.

The presence of family, friends, kin or acquaintances are often cited as reasons for choosing a particular area as a destination. Family can be viewed as a facilitating means used by the migrants to achieve their ends (i.e. better job and better life). The pull factors can be seen as facilitating factors. They can also be seen as the objectives or goals of the migrant.

The push factors can be viewed as what the migrant wants to get away from (i.e., a bad job, unemployment, an abusive husband or political problems). Thus push factors say something about the relative unsatisfactory position of the migrant's situation in the homeland. The push factors and the strategies employed by migrants to get out of the country may be seen as a product of the disparity between the sending and the receiving economy. It is argued that immigrants see migration as a means to improve their economic and social status (Gordon, 1990) and it is the wage differential between the sending and the receiving countries which ensures that this expectation is realized, at least from the immigrant's perspective.

What is it about a North American economy that attracts migrants and keeps them here, despite their state of illegality vis a vis immigration regulations?. My contention is that it is personal experience and structural context which jointly shape this movement. That is to say, that, decisions to immigrate and to stay, when a tourist visa expires or when a refugee claim is refused or to return home reflects the experience of immigrants which arises from a broader structure of opportunities and constraints.

The literature suggests that a major attraction to a particular area, is the existence of family, kin or acquaintances in the destination. The pull factors were therefore viewed as facilitators used by the migrants to meet their objective; an improved life.

This theory has been criticized for its inability to predict the origin of the migration flows and its designation of movement as a result of rational individual calculations. However, the concept is a useful one to retain. Furthermore, in defining push factors as objectives to be met and the pull factors as facilitators it is possible to gain some insight into the process of individual rationalizations.

This thesis draws on the assumptions and/or concepts of the broader theoretical formulations of push-pull theory as well as dual/segmented labour market theory.

The combination of both of these structural approaches to migration allows on the one hand, an examination of the links between societies as important in the understanding of migration flows, their size, direction and persistence. On the other hand, it looks at the economic situation and labour market of the host country. To view migration flows from this perspective, is invaluable for it permits an understanding of migration as a phenomenon which occurs within a broader system. It is not simply a static, conceptualization of migration as being a life event wherein the individual decides to go from one country to another. Combining these two perspectives allows for an understanding of movements from the sending and receiving countries while taking into consideration flows of information and interlinkages among individual actors. Migration can not be understood in a vacuum. This is the reason why it is important to allow the voices of the interviewees to be heard as only through them can we gain an understanding of what motivated them to migrate and from their experiences gain insight into what may perhaps motivate other migrants. It is therefore, necessary to view migration flows as operating first, within a system of opportunities and constraints, second, within the scope of government legislation that is of the official public policies and laws and third, the system of networks which promote migration and serve as vital information centres for migrants.

The phenomenon of chain migration (MacDonald et al., 1964), is fundamental to an understanding of networks. If persons migrate to countries or areas where other family, friends, kin or even other persons of the same nationality have migrated, then the social support network would already be in place and the network firmly grounded. The typical

documented pattern has been that one person arrives first and finds work and a home; the family then comes later. In most cases, it is a father or a husband or a single man who will migrate first. This social actor is referred to in the literature as the "male scout model"²⁴. These individuals are more likely to come in, and scout around and then be joined by the family after having made certain preparations. These male migrants sometimes remain alone for up to several years at a time during which they earn money for their families.

The attraction and motivation to migrate increases and others begin to follow in the lead of the first few departed members of the town. Anderson et al., (1976,35) also reported that economic opportunity was the major stimulus for migration to Canada. Many of the immigrants interviewed by Anderson et Al., themselves described their single overriding incentive as "dollar fever", one particular immigrant interviewed by the authors summing up the views of many of his compatriots in these words:

" ... one of the nicest things at the beginning was the difference in the level of living. We could afford the same as a rich man back home in the old country. There, regardless of how much you work you can never get these things. Here after six months, we bought our own home. There we work for 10 years and still do not have anything to show for it ... "

(Anderson et al., 1976, 35)

Anderson et al., point to the fact that as the first groups of immigrants achieved success they wrote back home and encouraged their friends, more distant relatives, and hometown acquaintances to come to Canada. They forgot to mention their initial struggles

They never told of the times they had no money. In so doing, they raised the false expectations of new arrivals (Anderson et al., 1976, 47).

Alternatively, they may migrate in search of earning enough money which would allow them to save enough to return to the homeland and purchase land or start a small business. However, many simply stay, to be joined by their families, and they abort any initial plan of returning back home, at least in the short term. The longer the migrants have remained in Canada the closer their ties to the labour market and the greater their expectations of remaining in the host country.

Often, the migrants send money back home, to support a wife and/or children, and parents. In this way, the expectations of the migrants are not only exported to the home country but are also sustained and reinforced through these remittances (Power 1979; Anderson et al., 1976; Anderson 1974, MacDonald et al., 1974; Graves et al., 1974; Lamphere et al., 1980).

The nature of such migration has been described as being transnational.

Transnationalism has been defined

"as the process by which immigrants build social fields that link together their country of origin and their country of settlement. Immigrants who build such fields are designated <transmigrants>. Transmigrants develop and maintain multiple relations - familial, economic, social, organizational, religious and political that span borders. Transmigrants take actions, make

decisions, and feel concerns and develop identities within social networks that connect them to two or more societies simultaneously"

(Glick Schiller, Basch-Szanton, 1992, 1-2)

The concept of transmigrants, as defined above, accounts for the fact that social processes exist prior to the migrant's departure from the homeland and are then maintained after their arrival in the host country. It is these processes that link the migrant to his/her homeland. As was discussed in chapter 2, international politics coupled with technological innovations have facilitated both the communication between parties and transportation between countries thus furthering the linkages between migrants and their families.

This research seeks to learn from the migrants what implications their presence has on the labour market. The pivotal issue becomes their search for employment. The question is how to find a job, especially considering that these individuals do not have a valid work authorization. Entrance into the industrial economy is secured with the aid, and through information supplied, by members of a network of kin, later friends, neighbours and other ethnic group members. These networks become vehicles permitting the exchange and flow of information.

C. Role of Networks in Locating Employment

The underground economy, that is the economy in which illegal migrants work, has been described in chapter three. However, the term, informal sector of the economy has been

used by some theorists (Sanchez 1993 quoting Hart 1991, De Grazia 1984)²⁵ to refer to informal ways of receiving income. A general distinction must be made, for it is not logical in a labour context to equate moonlighters with drug pushers, or illegal migrants with those engaging in barter to evade tax (De Grazia, 1984, 9).

The present thesis examines only the clandestine employment of illegal immigrants. This kind of employment has been in existence since social legislation was introduced, and it appears in essentially three forms:

- a.- the recruitment of paid employees without this being declared to the authorities;
 - b.- work carried out on a self-employed basis without being declared to the authorities;
 - c.- holding a number of paid jobs illegally.
- (De Grazia, 1984, 21-22)

The most prevalent form among the population of illegal migrants is considered to be (a) above, and this form of employment covers at least three different situations, which can be described as follows:

- 1.- A person is employed in a formally recognized enterprise but is paid in unreported cash. The mode of payment by the employer is an attempt to avoid paying taxes and making deductions for the illegal migrant in his/her employ. Such situations are found in agriculture, the hotel and catering industry, construction work etc.;
- 2.- the employee is not declared by an employer who is himself or herself clandestine. That would mean that the employee receives an informal payment in an informal market, wherein, the job is not performed in a formally recognized enterprise and payment is also made in cash. This is the situation covered by a household cleaning woman;

- 3.- the employee uses another individual's social insurance number and then is declared in the normal way to the authorities by a legitimate employer. This may occur when the employee has no work permit. That would mean that the employee receives formal payment in the formal economy.

The more general issue of employment in an informal sector is highly salient, since the migrants appear to be relatively successful in finding employment. Previous research (Economic Council of Canada - 1991, Samuel 1984, Samuel & Woloski -1984) has shown that refugees had found employment in a relatively short period of time and that the average duration of their periods of unemployment were rather short. In an earlier study Anderson (1974) remarked on the ease and rapidity with which Portuguese visitors to Toronto secured employment.

Clandestine employment, like legitimate employment is subject to the law of supply and demand. Employers of illegal migrants fall into one of two groups; individuals or corporate entities. Individuals who are employers include those who have small jobs of work to be done on a regular or irregular manner. Corporate employers encompass family or small-scale enterprises or medium or large enterprises who may also obtain clandestine labour through the medium of illegal migrant agencies. Employers (individuals or enterprises) may opt for illegal migrants as they can often perform the work at the least cost and at the same time avoid the constraints attendant on legal recruitment procedures (De Grazia, 1974, 42). Montreal, not unlike other major industrialized cities worldwide, has an informal labour market, which absorbs illegal migrants.

Research has demonstrated that the most common means for finding jobs is through networks which provide the job hunter with labour market contacts. (Granovetter 1974; Granovetter 1973; Bridges 1986, Weigner 1991; Montgomery 1992; Massey 1987; Boyd 1990; Fawcett 1990; Anderson 1974, Anderson 1976, Gilad, 1990).

Anderson (1974) explored some of the issues dealing with the role of networks, namely how foreigners succeed in securing employment in a new country. In her examination Anderson (1974) found that the responses revolved around four basic themes:

" ... the importance of having good contacts (it's not what you know but who you know); it is a matter of luck ("being at the right place at the right time"); it is a matter of education and technical know-how; or it is a question of motivation ("anyone who really wants to, can get ahead") ..." (1974, 1)

The citation highlights the importance of who the migrant knows. Anderson has referred to the network of contacts as the gatekeepers who are sought out by migrants to assist them in locating a job or to give them an introduction to respective employers. Contact with potential gatekeepers, reported Anderson, was made at informal job dissemination centres such as boarding houses, restaurants, pool halls, soccer clubs, churches, taverns and street corners. Ethnic group gatherings such as church festivals, picnics and club functions also provided contacts. Semi-formal and formal agencies were yet another avenue whereby contacts were secured. At the informal level occupational gatekeepers were usually relatives or friends, or both, who were able to provide the migrant with the necessary job information (Anderson, 1974, 81-82).

Granovetter (1974) identified three basic ways of finding out about jobs: formal means, personal contacts, and direct application. Firstly, formal means of obtaining jobs were considered to be advertisements, public and private employment agencies, placement services. Its defining characteristic was the reliance on the services of an impersonal intermediary, between the job seeker and the employer. Secondly, personal contacts, implied that there was some individual known personally to the job applicant, with whom the person originally became acquainted with in some context unrelated to a search for job information, or, who recommended the person to someone who then contacted her or him. Essentially, this means that close friends and relatives live, work and socialize within the same circles and are thus exposed to the same contacts as the job hunter. Acquaintances are more distanced from this circle of friends and are therefore in contact with other individuals who may have important job information - information which is available only through an extended network. This explains, why job hunters will often say that they located their job through a friend of a friend. It is when this network system fails that job hunters resort to official channels, like the newspaper, in an attempt to acquire job information. Finally, direct application referred to an individual who applied directly to a firm, without relying on a formal or personal intermediary, and had not heard about the job opening from a personal contact (Granovetter 1974, 11).

The focal point for Granovetter was the individual's place in the social network, that is, the identity of the set of people one knows and his/her relations to them (Granovetter, 1974,17).

The conclusion which Granovetter (1974) drew was that personal contacts were of paramount importance in connecting people with jobs. His findings revealed that job search behaviour is more than a rational economic process. Rather it is heavily embedded in other social processes. Furthermore, Granovetter (1974) remarked on the importance of the circumstances which motivated people to give job information to other friends. He reported that weak ties were more important in supplying job information as these individuals were less likely to work and socialize in the same milieu as the job hunter and his/her close friends. Acquaintances (weak ties) were more prone to move in different circles than oneself or one's close friends (strong ties) and therefore more likely to have access to job information outside the immediate circle of close friends.

Networks act as facilitators in the decision to migrate and in assisting and sustaining the illegal migrant in the host area. They provide the recently arrived migrant with a reference point. First, if this contact person is close family, there are certain obligations which are binding in nature and usually means that the host person is responsible for the new arrival. However, if the host is not a close family member and/or there are no obligations then the host is less likely to act as a sustenance unit. I would therefore argue that migrants will diverge onto different paths depending on the degree of familial links. Second, regardless of the migrant's degree of familial relation to the host, network(s) are in place which assist the migrant upon arrival and sustain him/her during their stay. These networks may be personal (close family) or social or more impersonal in nature like: extended family, friends, acquaintances or kin. These networks or set of networks assist the migrant in settling into the

host country (Anderson, 1974). This becomes particularly relevant as it raises the question of the role played by networks (close, social and/or formal or combinations thereof) in the occupational channelling of migrants (Anderson, 1974, 101).

The research on networks of contact has been gender neutral thus making it difficult to decipher whether or not women are as likely as men to be employment gatekeepers. However, Anderson (1974, 74) reported in her study of Portuguese immigrants that "no respondent stated that he found his first job in Canada through the aid of a female relative or friend".

In order to contextualize the migrants' experiences it is important to examine how the local economy interacts with networks. The emphasis will be on the local economy, the structure of jobs, wages, and employment cycles. To this end, the discussion will revolve around what "networks do" for the illegal migrant.

SECTION III

Strategies

There is a divergence between the incentives motivating subjects to migrate and the immigration policies of the host country which would accept and integrate these migrants into the host mosaic. The desire to migrate in search of a better life has prompted the migrant to pick up and leave without securing legal residency status prior to arriving. This desire comes

faces to face with an inability to acquire legal rights in the host country once the migrant has arrived.

The position taken in this thesis is that women and men are actors who create strategies to achieve goals and are active participants in their situations. While this assumption is basic to broader theoretical formulations like symbolic interaction it is an approach that is also consistent with the elaboration of women's role in society. (Collier 1974; Bledsoe 1980; Lamphere 1980). This view, commonly referred to as strategy analysis has however, been criticized for failing to take into consideration structural constraints (Asad 1972; Silverman 1976 as cited in Lamphere, 1982). As strategies are not forged in a vacuum the structural constraints, particularly the immigration legislation, form and inform strategies and these will be examined, as they may hinder or facilitate the options available to actors. The political economy is formalized through public policy and the Immigration Act.

SECTION IV

Gender Differences

I have reviewed literature relating to migration and the migration experience without any specific reference to gender or gender differences. However, the migrant, it must be remembered is a gendered subject, embedded in the webs of social relationships.

In terms of the refugee population world wide, there is an overwhelming number of refugee women in comparison to men. In fact, women and children represent an estimated

80% of all persons in flight (Boyd, 1993; Dewey, 1988; Keely, 1992; Peart, 1989). Yet, there is an under remuneration and under representation of the situation of women refugee claimants in Canada in general (Boyd, 1993, 3-4). To the extent that illegal migrants are unaccountable then refugee women are just as unaccountable with a notable exception. The nature of the employment in which women engage, which is primarily in homes as domestics, nannies or caregivers, renders them even more invisible to social analysts than their male counterparts although highly visible in everyday life in Canadian families (Arat-Koc 1986).

Discussions of labour migration up until the early 70s focused on racial, ethnic and class issues but neglected to report on gender, as a unit of analysis. This despite the fact that male labour migration was made possible because of the role of women as mothers and wives, who maintained families and reproduced workers in the country of origin and thereby added to the economic benefits to employers of hiring migrant labour. Phaizacklea (1983:5) notes that it was relatively simple to ascribe inferiority status or ignore the labour value of migrant women workers, because their primary roles in patriarchal societies were defined as wife and mother, dependent on the head of the household - "the male breadwinner". This would determine the jobs given to women as well as the lower wages paid to women.

The experience of migrant women remains distinct and different from migrant men's experience. Castles (1993: 32), points out that "they continue to form the lowest segment in a labour market divided according to ethnicity and gender".

The literature on the experiences of migrant women began to appear in the mid 1970s and has developed tremendously since then. It is generally held that migrating women

"see migration as a means to improve their economic and social status. The wage differential between the sending and receiving countries ensures that this expectation is realized, at least from the immigrant's perspective"
(Gordon: 1990: 120).

Castels (1993: 180-1) finds that "research in the 1980s also shed light on the labour market role of immigrant women. Houston et al documented a female predominance in legal immigration to the US since 1930, as well as being in the majority". Gordon (1990: 115) has gone beyond a broad generalization and reported that

"since the 1960s, migration from Europe has declined steadily and significantly while, correspondingly, the migration from Asia and the Americas, including the Caribbean, has increased rapidly and significantly. Mexico and the Caribbean has supplied the majority of immigrants from Americas or Western Hemispheres ... One other feature of recent immigration is the significant number of women who have been identified as "principal aliens". It is this status that activates other provisions in the migration network of family members."

However, it has been noted that "female immigrant labour seems to be in demand only in advanced service-oriented economies (Gordon: 1990: 120 citing Houston et al., 1984).

The visibility of women in the literature, Morokvasic (1983:14) argues, stems from the acknowledgement that "migrant women acquired the right to a sociological existence once they were acknowledged as economically active, as productive. In the context of migratory labour movements the predominant stereotype of migrant women as economically inactive had reduced the issue of women to the level of triviality and of no importance". Thus the coverage of women in the literature is the result of the acknowledgement of migrant women as economically important. Brettell (1982, 1986), was one of the first to highlight the migration of women independent from men, that is, as independent migrants rather than dependents of men.

Studies have explored the comparison between the jobs secured by native women versus immigrant women. Little has been reported on the particular experiences of illegal women. However, the fact that migrant women are more likely to be employed as private household workers at the bottom of the job hierarchy (Castles, 1993: 181 reporting on Houston et al., 1984) is indicative of the best jobs which would be available to illegal migrant women.

Boyd (1993,2) has pointed to the parallel need to collect better data on the age and sex of refugee populations (who are a component of the in-land migrants). However Boyd says,

"data developments have an uneven history of responding to the calls for gender sensitive approaches and policies. The UNHCR reports seldom and inconsistently

have data by gender. The absence of data masks gendered experiences. Countries that admit immigrants generally collect and publish data for administrative purposes. Consequently, if gender is not an explicit criterion of admission the probability is very high that much of the published data will not be cross-classified by gender. The result is a neglect of women as immigrants, as workers and as refugees" (Boyd citing her work in 1976)".

Canada started to collect data which presented counts of males and females admitted to Canada as Convention refugees and/or designated groups, in 1982. Boyd (1983, 2) notes that from

"1986 on, age was added to these gender tabulations for these same admissions. However, most governmental published tabulations are for the total population, without sex specific data. When detailed data exist, the focus frequently is on country of origin or persecution. In the quest for a short and intelligible story, the media frequently report figures for the total population as well."

Morokvasic (1984:886) reports that immigrant women

"represent a ready made labour supply which is, at once, the most vulnerable, the most flexible and, at least in the beginning, the least demanding work force. They have been incorporated into sexually segregated labour markets at the lowest stratum in high technology industries or at the cheapest sectors in those industries which are labour intensive and employ the cheapest labour to remain competitive".

Morokvasic (1984:891) noted that women find illegal employment "mostly in restaurants, domestic service and garments." Arat-Koc, (1986) reported on the trend of importing non-citizen workers into Canada's household economy. These patterns of labour migration and job structure sets the incorporation of women's labour and extends it to the area of immigration for the purposes of employment and to immigration policy. Morokvasic (1984:891) further stated that,

" for employers, there are obvious advantages in resorting to this kind of labour: tax violation, flexibility and non-application of labour legislation. These women are therefore the most exploited and the most vulnerable workers. As immigrants, their status is extremely insecure and they can stay in the country only under certain conditions: either as wage earners themselves or dependent on a wage earner."

A. Gender Neutral Immigration Policy?

There are no Immigration policies which are or have been gender specific. Yet, ironically the policies are not genderless either. The assumption has been that it is men who will migrate and that women and children are dependents (as reported for example in, Morokvasic, 1983 & 1984; Boyd, 1992; Phizacklea, 1983; to name only a few).

Studies done in the province of Quebec, Meintel(1987) show that women represented 49 percent of average annual immigration over the period 1968-1980, but are in the majority for those arriving from the Caribbean. Moreover, Meintel (1987) finds that immigrant women in Quebec at the time the study was published were not

only more likely to enter the labour market than other Canadian women, but were also more likely to do so than were immigrant women in the past.

The result of restrictive immigration policies has been to turn temporary migration into permanent settlement (Phizacklea, 1983,96 citing Castles, 1980). The reasons why this occurs is that once a migrant obtains legal entry into the country it is very difficult to legally leave and return without encountering immigration problems. This has the effect of obliging individuals to remain in Canada and try to figure out a way to obtain landing or to arrange for their families to join them as it is impossible for the individual to leave and re-enter. This is typically true of individuals who enter Canada on visitor visas. Those interviewees who made a refugee claim in Canada would lose that status if they left Canada for seven days or more.

i. Male First Model

Canada up until very recently was very concerned with promoting family reunification. That is that women would be joining husbands who had migrated first or were entering Canada to join family members who were already landed immigrants and had sponsored them into Canada. This implies that women would be migrating as part of a second wave of migration and that they would be coming to someone but would not be initiating migration themselves.

With respect to immigration policies which select immigrants to come to Canada, these requirements have been seen to favour men for a number of reasons. The selection criteria now in place are: education, vocational preparation, experience, occupational demand, arranged employment, age, knowledge of English or French, personal suitability and levels of control. Boyd (1993, 11) notes that "gender stratification in many countries means that women receive fewer educational opportunities than men and are less likely to acquire English or French language skills as part of schooling. Furthermore, given the gender gap in Canadian wages, women may be considered less economically self-sufficient than men if they have many dependents". These factors impede any true gender equality in the implementation of these admissibility requirements given the gender specificity of who is most likely to meet the criterion. Beyond that, selection requirements of this kind ensure that women, except for highly educated women, are maintained as dependents. The women who get through the eye of the needle, so to speak, as independent migrants, are in the minority.

ii. Women First Model

Gordon (1990) has identified women as "principal aliens" as a recent phenomenon of this new migratory trend. Previously, women travelled primarily, as dependants of their husbands. The "principal alien" is the individual who to use Boyd's analogy (1993) is like the scout, the individual who leaves the homeland first in search of opportunities. It is this status that will then activate the network of migration by other family members.

Dumon (1981) has devised a three stage development in the perception and categorization of women, first as immigrants, second as women and third as workers. Each category alone carries its own meaning but taken together it represents the labour force component of immigrant women workers. It is expected that gender and race will have an impact on the experiences of immigrant women workers.

Migration from the Caribbean and Asian countries like the Philippines has been characterized by a preponderance of female- first migrants. Simmons & Turner (1991,1) describe the flow of Caribbean migrants as one originating in the mid-1960s and "note that the inflow was initiated by young adult women, with children, men and older women following later". The authors explain this trend, which diverges from generally accepted theories postulating a male first model, as the result of "shifts in global inequality affecting the Caribbean and Canada, changes in immigration policy and practice, and the way in which culturally based gender roles and family mobility strategies interface with circumstances in Canada to affect migrant responses" (Turner & Simmons, 1991, 1-2).

B. Illegal Migrant Women's Employment

Gender differences are expected to be found within the underground economy of the secondary labour market. This is consistent with labour market studies that have located women in the secondary labour markets (Portes 1978). Morokvasic (1984, 1983) confirms the location of women within this market in reporting that cheap

female labour has been the cornerstone of the survival of industrial economies. This argument stems from the human capital theories (Phillips, 1983) which contend that as industrial economies evolve and grow, the cost of labour increases proportionate to this growth. Naturally, employers will seek to recruit employees who are willing to work for lower wages and this brings them to locating new categories of workers to whom the employers can justify paying lower wages. Women and minorities are the traditional sources of cheap labour for the human capital theorists. I would elaborate on this notion to include illegal migrant workers or even legal migrant workers. This would explain wage differentials and the creation of a lower minimum wage within the underground economy.

PART II

Chapter 5Illegal Migrants in Montreal - Who are they?A - General

Considering, the nature of work undertaken by illegal migrants it is very difficult to acquire published statistical data on the socio-economic characteristics of illegal migrant workers. As a result not much is known for instance, about their economic situation and family status, their gender and age distribution, their level of education, the amount of their earnings, the economic sectors in which they are employed or the types of work or hours worked.

The employment of illegal migrants, like legal employment is subject to the laws of supply and demand. Employers fall into two main categories, individuals and corporate entities. The supply of labour (i.e, those seeking work), in this thesis, comes from workers seeking or engaging in illegal employment where this type of work is their sole employment.

This chapter summarizes some of the characteristics of the illegal migrants working in the Montreal labour market.

B. Attributes of Illegal Migrant workers

The data reported herein was compiled from two sources. First, thirty randomly selected client files of illegal migrants from which socio-demographic data on the illegal migrant workers in Montreal was compiled. This group will be defined as the "reference group", they were not interviewed. Second, the principal analytic base for the thesis is derived from in depth interviews of twenty additional migrants. The socioeconomic data for these two groups will be presented in the form of two charts to enable the clear identification of the subject with the variable of interest (See Appendix B). The groups will be compared on the variables of gender; age at time of arrival; marital status; country of origin; year of arrival in Canada; recent marital status; education; number of years of illegality; number of children reported at time of arrival; number of children who accompany the migrant and number of Canadian born children.

i. Country of Origin

Sixty-five percent (13) of the interviewed subjects were found to originate from the West Indies. The remainder of the subjects reported country of origin as being from Asia, Africa, Latin America and Europe.

The reference group also reflects this finding. A majority of the subjects' country of origin is the West Indies. The remaining subjects are also found to have reported their country

of origin as being in Asia, Africa, Latin America and Europe.

ii. Year of Arrival in Canada

Twenty five percent of the interviewees (5 subjects) arrived in Canada in the years 1988 and 1990 respectively, with another 15% (3 subjects) arriving in 1989. However, this pattern was not replicated among the reference group subjects. It was found that the largest percentage (23%), that is 7 of the subjects arrived in 1991, followed by 20%, or 6 of the subjects in 1990 and then 13% or 4 of the subjects in the years 1988 and 1992.

The data reveals that 1988 was the year in which there was the highest percentage (40%), that is 8 of 10 women arriving in Montreal compared to only 10% or 2 male interviewees, whereas 1990 was the year in which the greatest number of men reported arriving in Montreal (30%), that is 6 men compared to 20% or 4 women arriving in the same year. In 1992 there were equal numbers of men and women arriving in Montreal (10%), that is 2 interviewees of each gender. I have no explanation as to why a significant number of females arrived in Montreal in one year whereas more males arrived in another year.

iii. Gender

The subjects interviewed in this study were evenly divided across gender lines. The same was true of the subjects in the reference group.

iv. Age at Time of Arrival

The average age of the interviewees was 28 years of age at the time of arrival in Montreal. Members of the compiled reference group were nearly the same average age: 27.5 years.

Along gender lines the data indicates that the women in both groups migrated at a slightly later average age than did the men (interviewees: 30 years of age vs 26 years of age for the reference group, 28 years of age vs 27 years of age for the interviewees).

v. Marital Status

a. Marital Status at time of arrival

Twelve of the twenty interviewees were not married (60%). In the reference group it was found that a slightly lower percentage reported not being married (50%), that is fifteen out of thirty. This compares to a disproportionate number of males who reported being never married at the time of arrival (70% or 7 of the 10 interviewees never married vs 30% or 3 married).

b. Present Marital Status

Forty percent, or 8 of the 20 interviewees reported being married at the time of arrival

in Montreal. Six of these eight interviewees reported being divorced after their initial entry into the city. Only two interviewees remained married after arriving in Canada. One interviewee who was never married at the time of arrival reported having married and divorced during his stay in Montreal. Furthermore eight of the 11 interviewees who reported being never married at the time of arrival were married at the time of the interview.

In the reference group the findings are rather similar. It was found that 87% of the subjects, that is 13 out of 15, who reported being married at the time of arrival in Montreal obtained a divorce during their stay in Montreal. Only 10%, that is 3 of 14 individuals who reported being never married on arrival report being never married at the time the data was collected.

A cross tabulation by gender reveals that 2 out of three males who reported being married at the time of arrival in Montreal divorced compared to 4 out of 5 females.

vi. Education

The interviewees in general were found to have an average of 11 years of education. In the reference group data the average education of the subjects was slightly lower at 10.5 years of education. Female interviewees are more educated than their male counterparts (11.4 years vs 9.7 years). Whereas the reference group reflects almost equal levels of education across gender lines (10.3 years for females vs 10.6 years for men). Data on levels of

educational attainment among different countries including Canada are shown in Table 6.

Data on the interviewees was collected by number of years of completed education without breaking it down by levels of educational attainment. In order to obtain some measure of comparability in the findings the data was divided into four groups, namely, 1-6 years corresponding roughly to primary education, 7-11 years representing secondary education, 12-14 years corresponding to collegial studies and, 15 years or more designates post-secondary education. It was found that generally the interviewees had attained a somewhat higher educational level than their counterparts in the sending country.

Table 6

**Percentage of the Distribution of the Population
25 years and Over by Educational Attainment**

Country	First Level			Entered 2ndary Level		
	No school	Not Comp.	Complete	S-1	S-2	Post Secondary
Bangladesh '81	70.4 (84.0)	16.7 (11.5)	— ---	7.4 (3.3)	4.2 (4.8)	1.3 (0.3)
Barbados	0.8 (0.9)	63.5 (65.2)	— ---	32.3 (32.0)	— ---	3.3 (1.9)
England	N/A*	N/A	N/A	N/A	N/A	N/A
Grenada	2.2 (2.3)	87.8 (88.3)	— ---	8.5 (8.5)	— ---	1.5 (0.8)
Guinea Bissau	91	7.5	0.5	0.6	0.2	0.1
Israel	7.4 (10.5)	28.3 (28.8)	— ---	39.2 (37.7)	— ---	25.1 (23.0)
Jamaica	3.2 (3.0)	79.8 (79.4)	— ---	15.0 (15.8)	— ---	2.0 (1.8)
Peru	24.0 (34.2)	27.3 (24.4)	17.2 (15.5)	10.7 (8.6)	10.7 (9.7)	10.1 (7.7)
Philippines	11.7 (13.3)	31.3 (31.4)	22.8 (23.7)	18.9 (16.6)	— ---	15.2 (15.1)
St. Lucia	17.5 (16.8)	74.5 (75.6)	— ---	6.8 (6.8)	— ---	1.3 (0.7)
St. Vincent	2.4 (2.5)	88.0 (88.6)	— ---	8.2 (8.0)	— ---	1.4 (0.9)
Venezuela	21.2 (22.9)	55.0 (53.8)	— ---	12.0 (12.1)	— ---	11.8 (11.3)
Trinidad	1.3 (1.3)	29.4 (29.9)	42.6 (42.4)	19.7 (20.4)	4.0 (4.1)	2.9 (1.9)
Canada	1.2 (1.4)	12.1 (12.1)	7.8 (7.8)	53.5 (57.1)	6.0 (4.7)	19.3 (16.8)

Source: UNESCO Statistical Yearbook, 1994, UNESCO, Paris, France

Percentages are cited for both males and females and percentages for females are reported in parentheses.

* N/A - means data was not available from UNESCO. Data on Canada is used in lieu.

The finding that individuals who undertake migration are better educated than the average is consistent with migration literature which reports that the individuals who migrate are not the very poor nor are they very rich rather the migrants come from the middle class - a class which has sufficient funds and contacts to initiate migration. In particular one study Georges (1992, 85) remarks that:

"the high cost of initial undocumented migration screened for better Pineros, a trend that was amplified once the pioneers regularized their status and could sponsor their close kin. Thus, the majority (77%) of migrants came from households with moderate to large -sized land holdings"

vii. Number of Years of Illegality

Data were also collected on the number of years that the subject has remained in Quebec, illegally, by year of arrival. Interviewees remained in Canada an average of 6 years³³. The reference group data reveals that on average the subjects were in Canada for 3 years. This difference may be explained by the selection process of the principal analytic base, that is the subjects I selected were those with whom I had a close professional rapport stemming from the fact that these subjects had been clients of the office for many years. This contrasts with the random selection of the reference group client files.

viii. Number of Children

It was found that 45%, that is 9 out of 20, of the interviewees reported having children at the time of arrival in Canada. Among the reference group data 53%, that is 16 out of 30, of the subjects reported having children at the time of arrival.

Data has been rather sketchy on the presence of children who accompany migrants. The general consensus is that migrants prefer to travel alone, unencumbered by the presence of dependent children, so as to facilitate the extent of their mobility. Data collected on the subjects confirm this general trend. Of the migrants reporting having children prior to departing their country of origin only 36% or 4 of the interviewees and 31% or 5 of the reference group subject data reported being accompanied by their children. Only 30%, that is 6 out of 20 interviewees and 9 out of 30 subjects in the reference reported having Canadian born children.

Conclusion

The findings in this section on the gender distribution of the interviewees is consistent with previous findings (Meintel, 1987). Women represented forty-nine percent of average annual immigration over the period 1968-1980, but are in the majority for those arriving from the Caribbean or West Indies. These findings replicate Census data conclusions (reported in Table 1). In the metropolitan area of Montreal, men were slightly over-represented in the non-

permanent resident category (50.36% vs 46.39%). This finding of nearly equal gender distribution in the sample is revealing, in that, migration has traditionally been considered a male experience.

Reporting on the male dominated nature of migration, Boyd (1992) found that among refugee claimants, the sex composition of that group reflected a larger proportion of males arriving and applying for refugee status as compared to women. This finding was a replication of Beaujot's (1991, 145) finding that over the period 1982-1987, of those persons who were accepted as Convention refugees eighty percent were men. This trend may be explained by the fact that it is men who are most likely to make a refugee claim. However, this does not detract from the fact that women are migrating. In fact, it was reported (CRDD, 1990) that women and children constitute the vast majority of the world's refugee population, even though, it is men that constitute the majority of refugee claims in Canada. The findings of this study suggest that women are migrating in just as great a number as men but they are remaining illegal instead of claiming refugee status. This may reflect the fact that women can find employment easily in the household economy and they can support themselves, while remaining invisible in this economy whereas, men work in the more visible economy and they may need to claim refugee status in order to gain a status and thereby, be visible and legal. Furthermore, individuals claiming refugee status must come up with a "story", a story which is easier for men to compose as they have traditionally been more active politically and have a greater ease making a story that is consistent with a definition that was created with the male refugee experience in mind. Consistent with this argument Dagodag (1984, 69) reported

that among apprehended illegal migrants in the United States 92% were males. I believe that this finding reflects the increased visibility of men in their sectors of employment.

An examination of the country of origin of the interviewees reveals that among migrants from English Caribbean countries, the majority are women. This is consistent with other findings which note that because Caribbean migration has been identified as possessing characteristics which differentiate it from other migration flows, namely, that it is initiated by women. Sutton (1992, 246) expressed this view as:

"The literature on Caribbean migrations has emphasized the active participation of migrant women in the labour force ... not only have female migrants outnumbered males, but that a large percentage of the recent Caribbean migration - unlike the past migrations of Asians - has been female initiated; that is women have established the first links in the chain migration".

This trend has been attributed to the growth in the service sector which has opened a tremendous amount of jobs, especially in the domestic area, for migrant women who are willing to accept comparatively low wages and long work hours.

The sample findings with regard to age are consistent with previous studies. Such studies indicate that "over 90 percent of all aliens were 40 years or younger, although the greatest frequency was registered for individuals between the ages of 18 and 27. Simmons et al., (1991,6) found that nearly all Caribbean immigrant women migrated between the ages of 15 and 45. In general, however, the typical illegal migrant is described as "young, male and

usually unskilled" (Jones, 1984,33).

Thus far, there has been no mention of the interviewees level of skill. That is because none of the interviewees reported having a particular job skill or general skills which would facilitate their entry into the job market. Rather the interviewees spoke in terms of their general education.

In this chapter I have outlined the background characteristics of my sample. The analysis of their strategies of survival is the focus of the chapters to follow.

Chapter 6**Strategies used by Illegal Migrants****Section I****Strategies used to enter Canada**

The research, as it was originally conceived, did not intend to examine the strategies used by migrants to either enter or remain in Canada illegally. However, over the course of conducting interviews certain patterns of behaviour emerged. The illegal migrants did not wish to remain illegally in Canada, indefinitely. The illegal migrant wished to secure some of the same benefits available to Canadians. The illegal migrant sought to obtain social and employment mobility and repeatedly expressed a desire to obtain an education and get a better paying job once they had a work permit. In short, the illegal migrant had become acculturated and had assimilated to the Canadian mosaic, and subscribed to the ideology that hard work meant that they could acquire "things" and that they could live reasonably well, definitely better than they could ever live back home. The illegal migrant can no longer conceive of returning to their homeland, having been away too long, having sacrificed too much. The illegal migrant, desperately wants to become legal. The question is how to acquire legal status.

It would appear that the migrants, although they enter Canada illegally and work illegally they do not view themselves as temporary migrants. In this way, the interviewees

distinguished themselves from much of the literature on labour migration, which is primarily about temporary illegal migration (Piore, 1979; Portes, 1980; Powers, 1979; Chiswick, 1982). The migrants were not migrating for a short period of time and then intending to return home. The interviewees revealed that they really intended to seek permanent residence in Montreal and improve both themselves and their lives.

The prevalent preconception held by the migrants, while they were still "back home", was that people left and did not come back. This meant that they had succeeded. The result was that others followed, not expecting to be living on the run, hiding indoors, not answering the telephone, not being able to open a bank account, afraid to run for a bus, looking outside their windows before leaving home in case an immigration officer was lurking outside their building, not being able to see their families and children, not being able to send for (sponsor) their families, and worse yet not being able to speak to people freely, always being afraid and suspicious, and doing this for years and years and years.

The migrants stay, hoping that things will change, perhaps the government will announce an amnesty and when no such "miracle" is in order they will do whatever they have to, not to go back to a life of poverty.

In attempting to discover what motivated the interviewees to migrate, respondents were asked: 1) "Why did you depart from your homeland?"; 2) They were also asked to state "How did you come to choose Montreal as your destination?". The responses to these

questions were coded in terms of either "pull" or "push" factors. Respondents were also asked whose decision it was to leave. Although some interviewees reported that the decision was theirs alone, this does not mean that they decided in isolation to migrate. It was often the case that they had heard of other people who had left the homeland to go to "Montreal", and/or they were encouraged by friends, family or acquaintances to come to Montreal.

It is interesting to note that all but two of the twenty respondents stated that they had either family, friends or acquaintances in Montreal. The only exception was a man from Guinea Bissau (No.14) who says that he "had to go as far away as possible from Portugal and it's connections to Africa. His friends had told him to go to Australia or Canada because that would be far away enough". One subject (No.3) reported that during his employment as entertainment director in Jamaica he was often told that he was very talented and would do well in Montreal. He says he left to be with his girlfriend but also "I had a good job but I was looking to explore other possibilities. I wanted to see how much better I could do for myself". Another woman (No.1) says,

"My cousin was going to Montreal to stay with a friend before heading to the United States, I had been refused a visa to the United States so I decided to go to Montreal and perhaps his friend whom I knew from back home could help for awhile".

A man (No.2), said that he knew that the mother of his children had left for Montreal, he explains,

"I wanted to reunite the family but I was also leaving because of the economic situation in my country".

Another woman respondent (No.4) declares,

"I did not leave for economic reasons, although it is included. I left because of the problems about elections. I was afraid I would lose my job. So I agreed with the suggestion of my sister-in-law to come."

Respondents answered the question regarding what attracted them to come to Montreal, in terms of "push" and "pull" factors from the homeland. The most common response of subjects in terms of "push" factors, concerned the lack of jobs and employment opportunities in the homeland. The respondents also emphasized the opportunities available in Montreal. One respondent aptly captures the sentiments of most of the subjects when she said (No.1), "I had nothing back home. i could not find a job and I had no money." Another respondent (No.5) says

"I thought of opportunities. My first thought was job, work, make something of myself. I saw an opportunity that I could have, I could get a good job".

Yet another, subject (No.13) said,

"I expected to find jobs. I thought that jobs were a little easier than back home because that is what my sister said".

Another subject (No.15) echoes this same sentiment. He says,

"I decided to come to Montreal because I had family here. Through my family I had been told that I could have a future here. My brothers had told me that it was a very big country with lots of opportunity for anyone who really wanted to work. If you wanted to work and if you were willing to work then you could go forward in life."

In short then, push factors included two cases of domestic violence and another four subjects reported political problems as reasons pushing them out of their homeland. However, in all but one of these cases the respondents also stated that their economic situation was not good, that they had lost their job and had been unemployed for months on end, or that they could not find a job or that they could not earn enough to support themselves and their families. The pull factors were stated in terms of the opportunities available in Montreal, as appears above, as well as the presence of relatives or friends in Montreal who were able to receive them and assist them in settling in. Table No.7, lists the number of subjects who had family, kin or friends in Montreal at the time of arrival. In short all but one of the subjects reported having family, relatives, friends, or kin in Montreal.

In Table 7 the following terms are used to mean:

* common law spouse

** referral here means that he was directed to a Portuguese person as a point of contact and referral upon arrival by a friend in Portugal. This individual was a friend of the friend.

Siblings - includes both brother and sister

Aunt/uncle - includes cousins as well

Kin - includes extended familial relations as well as friends from the same hometown or same country

Table 7Interviewees Degree of Familial Contacts in Montreal

Respondents with Family				
Subjects	No Family	Immediate	Extended	Kin
1		sister		kin
2	no family		girlfriend	
3		spouse*		
4			in-laws	kin
5		sister	cousins	kin
6		sister		
7			aunt	friends
8		spouse	in-laws	
9		children	in-laws	friends
10		sisters	aunt/uncle	friends
11		siblings	cousin	friends
12		siblings	aunt/uncle	friends
13		siblings	aunt/uncle	friends
14	no family			referral**
15		brothers	nephews	
16		brother		
17			uncle	
18		siblings	cousins	friends
19			girlfriend	kin
20			girlfriend	

Table 8, summarizes the reasons which attracted migrants to Montreal in terms of the "push" and "pull" factors for each subject.

Having discussed the reasons attracting migrants to Montreal, we turn now to a discussion of how the migrant arrives in Canada. All but three of the twenty respondents arrived as visitors in Montreal. Thirteen of the twenty subjects did not require a visa to enter Canada prior to landing. These respondents were then given periods ranging from 1 month to 6 months to remain in Montreal as tourists. Seven of the subjects were required to obtain a visa. Of these three were refused visas to enter Canada. The latter, then procured either false documents or went to another country. In the latter case the individual applied at another Canadian Embassy for a visa but this time with the financial backing and a letter of support from his brother-in-law who was a local businessman. Table 9, summarizes the situation of each respondent with respect to their visa requirements.

It was surprising to find that the large majority of the respondents did not have knowledge of the immigration regulations after they had arrived in Canada. The common presumption appeared to be that they could just remain, live and work as residents in Montreal. As one respondent (No. 4) very succinctly put it,

Table 8

**Interviewees Stated Reasons for Migrating
in Terms of Push and Pull Factors**

Pull		Pull		
Subject	Family*	Economics	Jobs	Domestic**
1		job	no work	
2	Yes	better job		
3	Yes	better life	bad jobs	
4	Yes	job	work	political
5	Yes	jobs		political
6	Yes			
7	Yes	jobs	lost job	domestic
8	Yes	jobs	no work	
9	Yes			
10	Yes	jobs	bad econ.	
11	Yes	jobs	lost job	
12	Yes	better life	bad econ.	
13	Yes	better life		death mom
14	No			political
15	Yes	jobs	no work	
16	Yes	better life		political
17	Yes	better life		domestic
18	Yes	jobs	no work	
19	Yes	better life	no work	
20	Yes	better life		

* Family here is used as a global term to encompass family, kin, acquaintances and friends

** Domestic here refers to political problems in the homeland as well as domestic violence

Table 9

Visa Requirements for the Interviewees Coming to Canada

Subjects	Need Visa	Refused Visa	Granted Visa	Other Means
1	No	N/A	3 mos.	N/A
2	No	N/A	3 mos.	N/A
3	No	N/A	3 mos.	N/A
4	Yes	No	1 mos.	N/A
5	No	N/A	3 mos.	N/A
6	No	N/A	3 mos.	N/A
7	No	N/A	3 mos.	N/A
8	No	N/A	6 mos.	N/A
9	Yes	No	3 mos.	N/A
10	No	N/A	3 mos.	N/A
11	No	N/A	3 mos.	N/A
12	No	N/A	3 mos.	N/A
13*	Yes	Yes	N/A	False I.D.
14**	Yes	Yes	N/A	False I.D.
15***	Yes	Yes	3 mos.	Misrepres.
16	Yes	No	3 mos.	N/A
17	Yes	No	3 mos.	N/A
18	No	N/A	3 mos.	N/A
19	No	N/A	3 mos.	N/A
20	No	N/A	3 mos.	N/A

*Subject entered Canada accompanied by a half-sister and presented another half-sister's Canadian citizenship card

**Subject bought a fake passport and visa in Portugal and was apprehended by customs for this said at time of entry

***Subject travelled from Peru to Germany, where sister lived and misrepresented certain facts with the assistance of his brother-in-law in order to be granted a visa

"I am really ignorant about that (immigration regulations). I thought that I would be like the others, who would get a working permit. I would just follow what they were doing. They came also as tourists, like me, but they are lucky. I am not lucky. They got their papers."

Another man (No.3) said,

"I had no knowledge of the Canadian immigration laws. I thought that because I had a British passport I would have no problem. You know Canada being a member of the Commonwealth and all."

Another subject (No.5) explains,

"I did not know anything at all about the Immigration laws. I had not heard anything concerning the immigration because there was no reason to talk about immigration. We talked about the country and all that, but not about immigration policies. So, I didn't know anything until I came. I thought it would be easy to get landing status. Nobody told me, I never got the feeling it was difficult to stay".

The above citations repeat what the subjects reported during the interview. However, judging from their responses they did have information yet they did not consider the information they had to be information on immigration legislation. The information which they do have appears to have been transmitted through word of mouth, that is the network system, which sets up expectations and delays within which the migrants should expect results.

Only two of the respondents declared having knowledge of the immigration regulations. One woman (No.1) acknowledges,

"I knew that people who were illegal were sent home if they were picked up. It was the same thing in Puerto Rico (where she had been living illegally). I had heard it being done to others not to me personally but I was aware of what happened and even back home it was the same thing."

Another respondent (No.8) said,

"I knew the basics. I knew I would have to get papers. I knew I would have to get a medical".

However all but two of the respondents declared that it was their intention to remain in Canada at the time of arrival. Table 10, summarizes the experience of the respondents.

If respondents intended to remain in Canada how were they planning to become landed?. Four different options will be discussed in this chapter, namely: (1) migrants arrive on a visitor's visa and simply overstay and become illegal for varying periods of time; (2) migrants who make a refugee claim before or after the expiration of a visitor's visa; (3) sponsorship by a spouse; and (4) job offer. In addition these routes are chosen at different times and are used in different combinations until the migrant becomes successful. Table No. 11, summarizes the order of preference of each strategy used by the respondents in this particular study.

Descriptive statistics show some very clear patterns among the respondents. Thirteen of the twenty interviewees remained illegal for four years or more. Eight of the thirteen interviewees essentially did nothing as a first choice; four of the thirteen respondents tried another route and then simply remained illegal, as a second choice. One of the twenty interviewees remained illegal for two to three years as a first choice and another interviewee did so for a period of one to two years. Finally, four of the twenty interviewees opted for a period of between one month to one year of illegality as a first route and another interviewee did so as a second choice. This is instructive as it highlights the fact that migrants necessarily live through periods of illegality first upon arrival, that is before they know what to do, who to see and where to go and second after trying, one strategy and if that fails instead of leaving the country they fall back on a period of temporary or prolonged illegality.

Table 10

Intention of Remaining in Canada and Reported
Degree of Knowledge of Immigration Laws

Subjects	Intended to Remain	Knowledge of Law
1	Yes	Yes: like in Puerto Rico
2	Yes	No: British colony expected no problem
3	Yes	None
4	Yes	No: go and stay like all others
5	Yes	No: thought it would be very easy
6	No: encouraged by sister to remain	No: but I knew I shouldn't overstay
7	Yes	No: didn't think I would have to leave
8	Yes	Yes: I knew I did need papers to stay
9	No	None
10	Yes	None
11	Yes	None
12	Yes	None
13	Yes	None
14	Yes	None
15	Yes	None
16	Yes	None
17	Yes	None
18	Yes	None
19	Yes	None
20	Yes	None

Table 11

Order of Preference of Strategies Employed
By Male and Female Migrants to Remain in Canada Legally

Illegal

Subjects	Refugee	Job	Sponsor	1 mo-1yr	1-2yrs	2-3yrs	4yrs+
1(F)			2nd				1st
2(M)	2nd	4th	3rd	1st			
3(M)	2nd		3rd	1st			
4(F)	2nd	1st					3rd
5(F)	1st						2nd
6(F)							1st
7(F)		1st					2nd
8(M)	2nd					1st	
9(F)							1st
10(F)			2nd				1st
11(M)	1st		3rd	2nd			
12(M)			2nd				1st
13(F)				2nd			1st
14(M)	1st		3rd		2nd		
15(M)	2nd	3rd	4th	1st			
16(M)	1st		3rd				2nd
17(F)	2nd		3rd	1st			
18(F)		1st	3rd				2nd
19(M)			2nd				1st
20(M)			2nd				1st

Refugee status is the first choice of only four interviewees while another six opted for this route as a second choice. In sum half of the respondents resorted to a refugee claim as an attempt to regularize their status in Canada. It is worth noting that that men are more likely to make a refugee claim than are women. It was found that there were seven males who opted for this route compared to only three women. Furthermore, one of these women was forced to make a claim or be deported as she was arrested by immigration. This is explained by the fact that women are more hesitant to make a refugee claim because they often do not have a story. They are not political beings and have a very difficult time making up a story based on political reasons. In addition, the Convention refugee definition is first a definition which is geared at the male refugee experience and second, it does not allow for economic migrants.

The route of sponsorship was followed by fourteen of the interviewees. However, none of the respondents opted for this as a first choice. In fact the breakdown was as follows: six of the fourteen interviewees used it as a second choice; seven individuals used it as a third choice and one interviewee used it as a fourth choice. Another interesting finding is that men are more likely to be sponsored by a spouse than women. Nine men used this strategy compared to five women.

A final route was that of the job offer. This route was used by five of the twenty subjects. On the other hand, a job offer was used primarily by women. It was found that four women used this strategy as a way to attempt to remain in Canada legally. Moreover, this strategy was usually their first strategy. This compares to the only male who used this route

and this as a last choice. This finding illustrates the gender differences between the kinds of jobs which men and women can obtain. It is easier for women to try to gain status in Canada by working as a live-in domestic, a job that is recognized as being in demand in Canada than it is for a man to be admitted under a job offer as this requires that the individual is highly skilled.

A.- Migrants who arrive on a visitor's visa and overstay

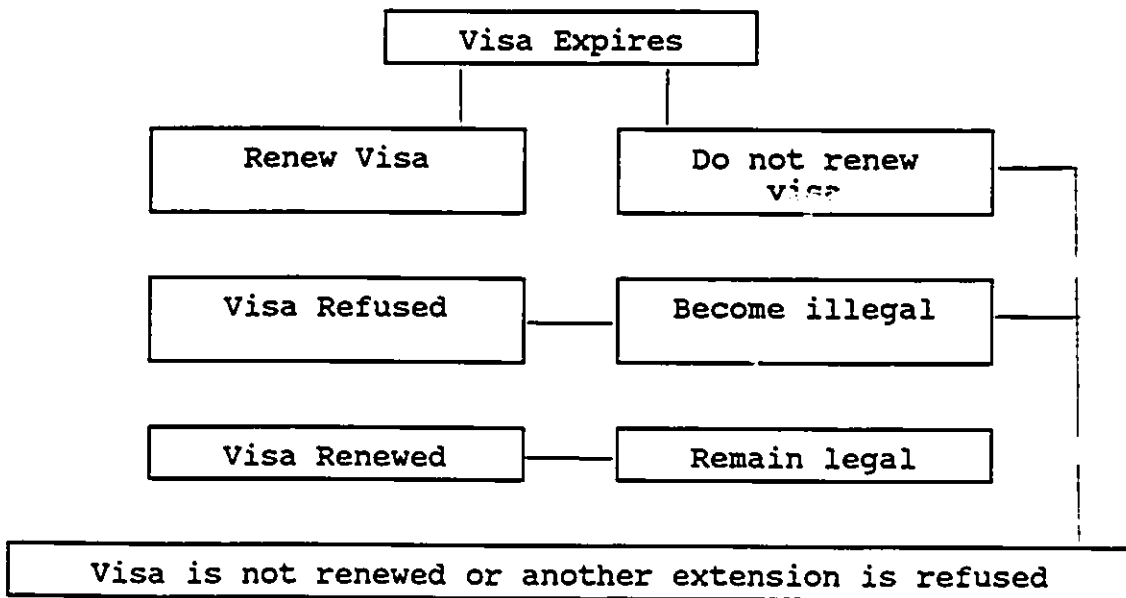
As illustrated in Tables 9, 13 of the 20 respondents, did not require a visa to come to Montreal. That means that the migrant who wished to settle down in Montreal had simply to purchase an airline ticket and was given a visitor's visa at the point of arrival in Montreal, that is, one of the airports. Visitor visas can range in duration from a couple of days to six months. The expectation is that prior to the expiration of the visa the visitor will leave Montreal. Persons wishing to prolong their stay in Montreal can apply for an extension of his/her visa. Such a request is made in writing and forwarded to the immigration office with proof that the individual has sufficient funds to remain in Montreal or has family who will provide for him or her, a return airline ticket as well as an explanation as to why the individual wishes to prolong their stay in Montreal.

The migrant is legal in Montreal until the expiration of the visitor's visa. However, this visa prohibits the individual from undertaking employment and/or from attending an educational institution. A visitor also does not have the right to medicare or any other

Canadian social program. Essentially, this individual remains a visitor in Montreal. This process is schematically illustrated in Chart No.1.

Chart No.1

Migrants who arrive on a visitor's visa



The individual who does not leave Montreal by the time his/her visa has expired becomes illegal. However, as immigration has no exit control there is no way of knowing whether or not the migrant did in fact depart. Thus, the migrant could remain in Canada illegally without immigration ever knowing unless that migrant comes to the attention of immigration through one of the following possibilities: he/she has committed a criminal offence; he/she has been stopped by police and can not produce identification; or the most

likely possibility is that someone snitched on the migrant. This list of possibilities is not an exhaustive one but covers the most common situations whereby a migrant can come to the attention of the authorities. In fact, none of the interviewees admitted on a visitor visa left Canada as per the conditions of their visa.

The case of Jim (No.2) illustrates how migrant's use a visitor's visa as a strategy to remain in Canada. Flow chart No.2 (See Appendix C) summarizes the different routes followed by Jim in an attempt to obtain landing in Canada.

Jim's motive for coming to Montreal was to find the mother of his children and to improve his lot by securing a good job for himself. He arrived on a visitor's visa. The visa expired in March 1990 and he describes what happened prior to the expiration date:

"I went to the Canadian immigration office before my visa expired because I wanted to become a permanent resident of Canada. I was told that in order to be a permanent resident I had to apply from outside Canada. So I did not try to re-new my visa or show up at immigration once it expired"

Jim remained in Canada working at the same establishment he had been working at since February 1990 knowing now that he had to leave Canada if he wanted to apply for landing. Jim was content working and living in Canada albeit illegally. However, this position changes when Jim encounters a problem in the work place which he narrates as:

"I left the company because I had been sick and did not work on the Monday and at the end of the week I got paid for only three days work and I had worked four days. I complained that they had only paid me for three days. They told me that I did not have the right to complain. I was told you have no rights, you are illegal, we can do what we want. So I took the money for the three days but I did not return to work there"

"Then I met some people who told me that if I wanted to regularize my status in Canada I could make a refugee claim. I made a claim for refugee status in October 10 1990. After I made my claim immigration gave me papers which entitled me to welfare benefits. I stayed home taking care of the children".

It is common that when a first route is not successful or the migrant encounters a problem in the workplace or vis a vis the authorities they will often make a claim for refugee status to buy them some more time in which they can figure something out. Table 12, illustrates more fully the periods of time within which a migrant remains in Montreal illegally before opting for another route to regularize his/her status in Canada.

Jim's case illustrates how this occurs. Jim becomes illegal again, in August of 1993, at this point he reasons that because he had no status in Montreal he wanted to make sure the children would be cared for. He decides that it would be best for them to stay with their mother now that he had located her. He also figured that he could fend for himself better unencumbered by the children. He says it is easier to move around and hide if you are alone instead of having three children tag along. Therefore, Jim signs over custody of the children to their mother. The mother in turn, because she is a permanent resident of Canada was able

to have her children join her file and become permanent residents of Canada. Having taken care of the children Jim was now free to move around. He began looking for a job, and he lived day by day while at the same time planning his next step. The next step, was to make arrangements with a friend who was a landed immigrant in Canada to marry him so she in turn could sponsor him. However, when this last plan also failed Jim once again became illegal and still remains illegal until he can find another strategy or until the government announces an amnesty.

Jim's case is not a typical one in that, not all migrants will go through as many routes. In fact he is the only one of the twenty subjects whose strategies were so diversified. Nonetheless, it serves to illustrate how remaining in the country illegally - passing incognito serves as a way to gain time until perhaps the government changes its policies or introduces a policy which is more favourable to such migrants.

Other migrants are less adventurous or perhaps more patient and they wait, for years and years. One female migrant waited ten years before attempting her luck with a marriage of convenience.

All of the interviewees entered Canada as visitors what differs is how long they remain in Canada as illegal visitors before making an attempt at regularizing their status in Canada. Table 11 also presents the order of preference of strategy after a migrant arrives on a visa along gender lines. It is worth noting that men are more likely to make a refugee claim than

are women. It was found that there were seven males who opted for this route compared to only three women. Furthermore, one of these women was forced to make a claim or be deported as she was arrested by immigration. This is explained by the fact that women are more hesitant to make a refugee claim because they often do not have a story. They are not political beings and have a very difficult time making up a story based on political reasons. Furthermore, the Convention refugee definition is first a definition which is geared at the male refugee experience and second, it does not allow for economic migrants. On the other hand, a job offer was used primarily by women than by men. It was found that four women used this strategy to remain in Canada legally, and mostly as a first preference compared to only one male who used this strategy as a last preference. This finding illustrates the gender differences between the kinds of jobs which men and women can obtain. It is easier for women to attempt to remain in Canada by working as a live-in domestic, a job that is recognized as being in demand in Canada. However, men must be highly skilled to be able to attempt to acquire landing under this strategy. Another interesting finding is that men are more likely to be sponsored by a spouse than women. Nine men used this strategy compared to five women.

These strategies are chosen either to buy some time, so to speak or to legitimize the migrant's status because they can no longer endure the stress of being illegal in Montreal. These strategies are discussed in detail below.

B. Migrants who make a refugee claim

A refugee claim is an individual's well founded fear of persecution in accordance with the guidelines set out in the Geneva Convention, as defined in the introductory chapters. Any individual who wishes to make a refugee claim will be given an opportunity to be heard. This essentially means that the Government must hear the case of anyone who alleges he or she is a refugee, regardless of country of origin. In addition, once a person has made a refugee claim he or she is entitled to remain in Canada legally until such time as he or she has been determined to be or not to be a Convention refugee. If one is determined not to be a Convention refugee one has the right to appeal to the Federal Court of Canada and remain legally while the file is being reviewed. The migrant only becomes illegal when he/she is refused and fails to follow the order given to that individual by immigration, that he/she is to leave Canada on or before a specific date.

It is at this point that refused refugee claimants will go underground, so to speak. Chart Nos. 3 and 4, illustrate this process. Six of the twenty respondents stated made a refugee claim in Montreal as a second strategy. Whereas four of the respondents did so as a first strategy.

Martine's case (No.5) illustrates how and why individuals will make a refugee claim as a first or even second strategic route. In order to facilitate the discussion Chart No.6 (See Appendix C), schematically illustrates the procedures followed by Martine.

Martine came to Canada with her two minor daughters and made a refugee claim in

order to regularize her status in Canada. During the interview it was disclosed that Martine, had visited Canada in 1982 that is prior to her last entry into Canada on July 15 1988. When asked how she had come to decide on Montreal, she says:

"I had been in Montreal before. It is a nice place. I liked it because of the peace and quiet. In comparison to the rest of the world I find I am doing great"

Chart No.3

**REFUGEE CLAIMANT
PROCESS FLOWCHART**

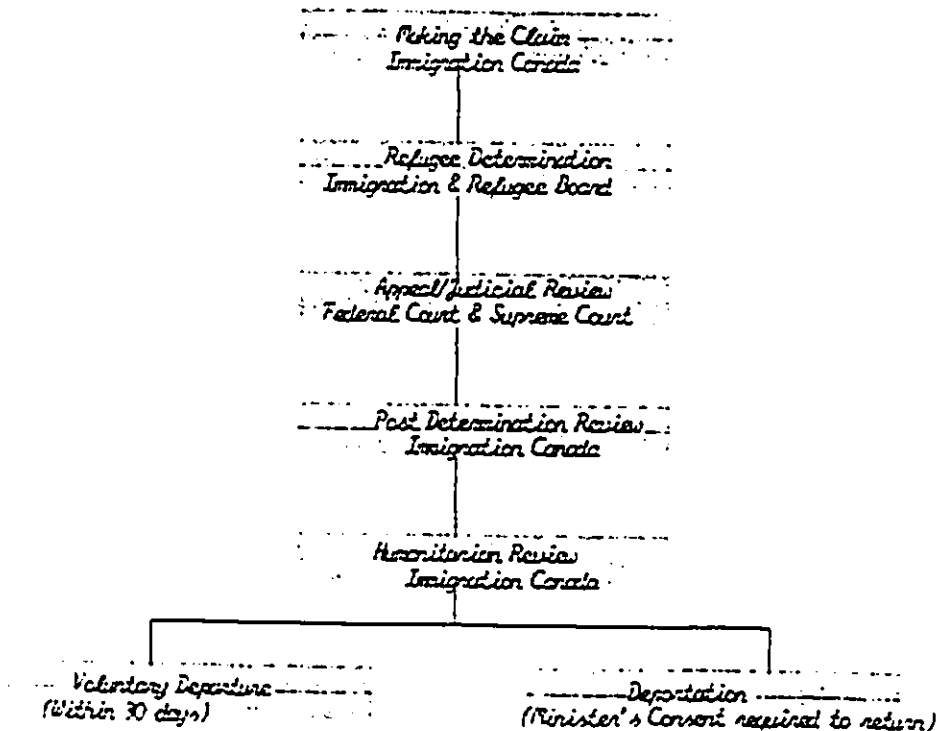
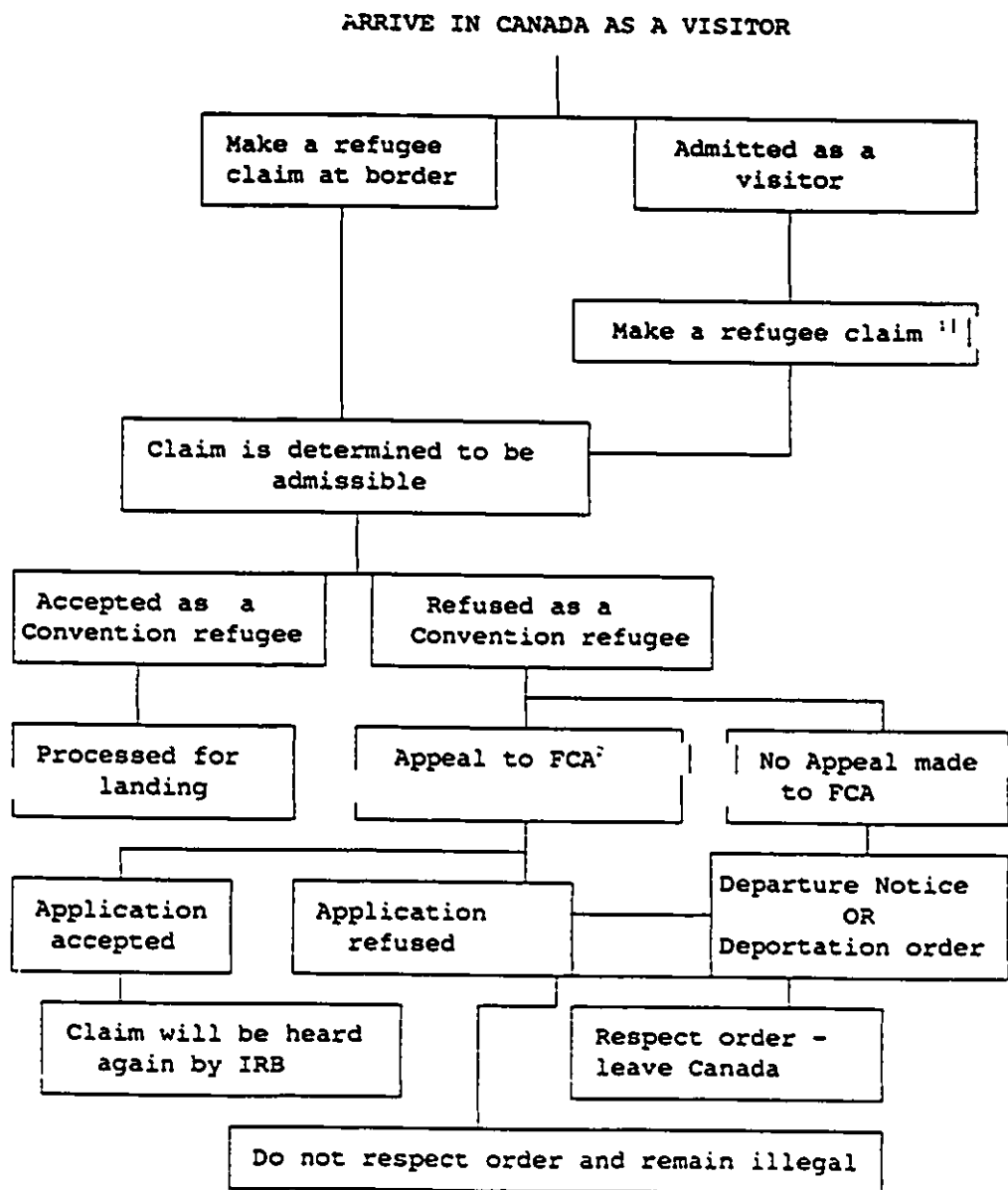


Chart No.4Migrants who make a Refugee Claim

Persons may make a refugee claim at any time after being admitted into Canada as a visitor, that is, either before or after the expiration of the visa.

FCA = Federal Court of Appeal

In July of the same year she visited a lawyer in Montreal and was counselled to make a refugee claim as a way to obtain landing in Canada. She did make the claim. Martine explains,

"I went to a lawyer. I went to him because I wanted to stay here, I wanted to become a resident, and that is when he told me to apply for refugee status. Even, though I explained to him that I had no family here, he said there is other people doing it"

Martine's strategy is clear. She arrived in Canada fully intending to remain in Canada, this despite the fact she was travelling on a visitor's visa. She says:

"When I came, I wanted to stay. This is why I went to see a lawyer. I wanted to sponsor my husband"

The route suggested to her, by her attorney, held certain advantages for her and the children who were with her in Canada. Making a refugee claim enabled her to obtain a medicare card, a work permit, authorization for her children to attend school and eligibility for welfare benefits until such time as she received her work permit and could find a job. She explains that she arrived in July and she was working by September. Martine, may have felt that she was embarking on a good route. A route which would lead to her obtaining landed immigrant status via a refugee claim. She was able to lead a fairly normal life while she waited for the adjudication of her refugee claim. She waited for three years. The original plan, was that Martine would obtain landing and then sponsor her husband. Her husband and her two boys joined her and the girls in Montreal in April of 1990. They too arrived on visitor's visas.

The children, because they were minor were included in their mother's file. This meant that the boys would be able to attend classes and receive medicare cards. Her husband remained in Montreal on a tourist visa. He obtained two sets of three month extensions while he waited for an answer to his wife's claim.

Then Martine's refugee claim was refused in 1990. The strategy was that if she gained admission to Canada then she could sponsor her husband and her two boys. Considering that her claim had been refused she would not be able to sponsor him.

Martine says: "After I was refused, he did not have any choice, he applied for refugee status"

Martine's husband then also became eligible for the same benefits which Martine had received while awaiting for a determination of her refugee claim. Martine with the assistance of an attorney made a humanitarian review of her file. That review was refused. She then made an appeal of the decision rendered by the Immigration to the Federal Court of Canada. The Appeal was refused and she requested special consideration from the immigration authorities on the grounds that her husband's case was still before immigration and irreparable harm would ensue in the separation of the family. Martine had exhausted all of her legal recourses. As such she became illegal. Martine received no confirmation but immigration did not pursue her once she did not present herself to make travel arrangements implying that the file was suspended.

Martine's husband had made a refugee claim after the introduction of Bill C-86 and thus had to go through two hearings as opposed to the one Martine had undergone. He had been successful at the first level hearing, that is minimum credibility, but was refused in December 1992 as a Convention refugee by the Immigration and Refugee Board. At this point Martine's file resurfaced and immigration began to inquire about her whereabouts so she moved. Investigators presented themselves at the family home looking for the family but they had just moved. The landlord informed the immigration officers he did not know where they were. The officers also visited her sister and again were not able to locate her. As Martine learned of these visits she got very nervous, very uneasy. No one visited the children's schools. This, despite the fact that immigration was fully aware of where they attended classes.

When asked if she saw her present situation as a permanent or temporary one, she says:

"It is very, very stressing. It is not a nice life, It is very hard. You can't function. My desire is to go to school. I want to educate myself. It is my dream to go to school, to do something with my life. But, I can't because of my situation. Yes, it is stressing, but in comparison to going back home, I would prefer to live this way. The thing is my children are here. I have nothing back home"

Migration has not yet improved her social status because she has not been able to secure an education for herself. Yet, she is unable to return home, to relinquish her dream. It is still easier to live on the run from immigration.

In August of 1993, Martine began to suspect that her marriage was not able to endure the many stresses of the waiting and the moving; her husband was seeing another woman. Secretly, she suspected that he had figured this was a way for him to gain admission to Canada, as he had reason not to expect to have his appeal accepted. In November 1993 the couple filed for divorce in Montreal. In February 1994 Martine's husband's immigration appeal was dismissed by the Federal Court of Appeal. (See Appendix C - Chart 6.)

Martine had to constantly be moving as she was afraid that immigration would catch up to her and deport her. Martine says,

"I am terrified that someone is going to come knocking at my door. I don't know. It is very stressful to live this way. You are always living on the edge. You always don't know why somebody sitting next to you is looking at you a certain way.

You never know. It has happened to me. I would be walking in the Metro, and there would be people walking fast behind me to catch the train, and I would be thinking that he is following me. It is scary"

"I am right now very highly stressed. If I keep up with this, it is definitely going to kill me. I try to live as normally as I can as any other person"

"I have just been divorced. Sometimes, I feel uncomfortable, and I am lonely"

Martine explained the situation to her children. She also explained that because of this situation she would not be able to see them and could not give them a telephone number

where they could reach her. She feared that if the children knew where she was they may inadvertently tell the wrong person and lead immigration to her:

Martine says: "My children live with their father because of my situation. I do not have a proper job, and he is remarried.

There are no children that are happy without both parents. Divorce traumatizes. It is a devastating thing to go through a divorce, especially when there are children involved.

As it is now, they understand I can not be with them, but it's not that I don't love them. My children know about my situation. There has been a lot of crying. When I was told that I had to go back, it was very stressing. My ten year old daughter couldn't sleep at night. She was always crying that they were coming to take me away.

Now, that they are finally a little more settled now, I can call them and talk to them on the phone. They know that I am still here. I keep in touch with them, sometimes everyday, sometimes twice a day. It depends. I don't see them very much. I don't go to visit"

Martine was one of only three women who opted for a refugee claim as a strategy to remain in Canada. However, the fact that she came to Canada from Trinidad, a country which is not known to be a refugee generating country and that she did not have a strong "story". Her political problems were based on her husband. She did not have a claim to refugee status independent from her husband but because he had not yet made a claim she testified alone and was refused. Martine was an economic migrant but she could not tell immigration that so she played the "game" so to speak, she lost and now she must find another way to remain in

Canada.

C. Sponsorship by a spouse

The rationale behind sponsorship of a spouse as a strategy is that although persons wishing to migrate to Canada must apply from outside of Canada for a landed immigrant visa there exists an exception in the law whereby spouses can sponsor their partners from within Canada on humanitarian and compassionate grounds. This exception is a loophole which is often used by migrants wishing to remain in Canada. Often, migrants will contract a member of the opposite sex in exchange for an undisclosed sum of money to enter into a marriage of convenience for the purposes of immigration.

It is also not uncommon, but was not a strategy used by any of the respondents in this study, for spouses to divorce for immigration purposes, and then one of the two remarries while the other remains illegal. If the sponsored partner "gets through" when he or she obtains a visa they will divorce that person and remarry and sponsor their first spouse. However, subject No. 11, benefited from the fact that his wife had utilized this strategy and because she was successful she was able to sponsor him. That is his wife had married for immigration purposes and had been successful. After she became landed she was divorced and then she remarried and sponsored her real husband, that is the husband to whom she had wed religiously in their homeland³⁴. This process took close to four years to complete. But it was

successful. This is the important message. All that counts is that they got through. The fact that migrants continue to hear through other migrants of persons who continue to be successful using such strategies results in migrant's acquiring the will to wait and wait because it would all be worth it in the end.

To return to the example of Martine. In May of 1994 Martine's husband remarried. He married a Canadian citizen. His new wife then filed a sponsorship on his behalf with the Canadian immigration. There is a procedure that allows for a dispensation of visa from inside Canada on humanitarian and compassionate grounds between spouses.

Martine wanted to secure a future for her children in Canada so she decided to sign a document wherein she gave her husband custody of the children in order for him to file for the children under the same sponsorship application being filed by his wife. Martine herself has been trying to find a prospective compatible male suitor to wed in order to become landed in Canada. She explains that she simply does not have the money to pay someone off. They are charging about \$5,000 and she does not have that kind of money. She is having trouble finding work and making ends meet never mind saving that much money. In addition she complains that the men she has met also request sexual favours in exchange for the service they are rendering. In short she has not yet been successful. She is still looking.

Martine says: "I do not really feel safer now compared to when I first became illegal in April of 1991. There is no change. Illegal is illegal. There is nothing to gain from being illegal, so there is no comfort for me. Yes, I probably was a little more nervous before,

but it is still nerve wracking. I won't say
I am settled now, because as things are, there
is no way you can settle"

Women are perhaps less likely to enter into a marriage of convenience than men (nine men choose this route compared to five women) because they fear that men will demand sexual favours. This distinguishes the female interviewees from the males. The female interviewees express the sentiment that they will only do this, marry someone for papers, as a last resort or else because it is the real thing. Of the five women who were sponsored only one was a marriage of convenience. The one woman (No. 1) who did not marry for papers was accepted as a landed immigrant but endured much harassment and extortion for money. She had claimed "I did this because I was really desperate. After ten years I had no choice".

The interviewee had waited and waited for an amnesty or something that could help her until finally she was referred to this man who asked for \$5,000 to marry her and she married him to get her papers. However, the process was a lengthy one and she has been married to him for three years and she still doesn't have her landed immigrant papers. She has endured much suffering because he is demanding and uncooperative which resulted in long delays in the processing of her papers. All but two of the males married for "real".

In summary, there is little difference between men and women who opt for this route, that is they tend to both enter into real marriages. However, the experiences of men and women who marry for convenience are different because of their gender. Furthermore, it would appear to be easier for men to marry than for women. This finding may be explained

by the fact that the women are often in isolation and the men are more likely to be in the public eye. In addition, six of the nine male interviewees had made a refugee claim and had therefore already been able to be legal in some sense and thus free. Whereas only one of the five women interviewees had made a refugee claim. This explains the reason why women are less visible not only as workers but also socially. They have no papers, they never had papers and therefore they are more cautious of whom they speak to and what contact they make.

To return to Martine's case. It illustrates how a family choosing to migrate arranges amongst themselves to elect certain strategies and wait them out until they learn the success or failure of that particular strategy. It is comparable to strategies of trial and error. It is interesting that Martine's husband did not make a refugee claim upon his arrival. He waited to see what would happen with his wife's case.

The couple in this case, or more generally, the individual migrant, attempts to get the maximum out of each strategy all the while taking into consideration his/her or the family's best interest. Unfortunately, the stresses which are inherent in these situations destroyed Martine's family. The desire to become residents of Canada took precedence over the desire to work through the stresses and problems. Martine's story is one which shows the strategy used by a family but this is not a very common occurrence.

Most of the interviewees who used sponsorship as a strategy did so as individuals. Most notably of the twelve interviewees who reported being married at the time of the

interview, only two had entered into a marriage of convenience. This means that only a minority of all marriages were entered into for the sole purpose of obtaining landing in Canada. However, as was reported earlier a total of fourteen interviewees opted for sponsorship as a strategy but none chose it as a first choice. This can be understood in light of the process of "finding someone". The migrant must have sufficient time to get to know people in Montreal who can refer them to someone who could marry them for their papers or to meet someone with whom he/she would really desire as a partner.

Often, migrants will opt for this route as a last recourse because they do not like the idea of marrying someone for papers. First, they hesitate because they must really trust the person with whom they will marry; often this person will be referred by a chain of friends, kin or family connections. Migrants fear that their spouse may use their papers to threaten, abuse or extort money from them. The migrant feels compelled to do as he/she is told by his sponsor or else face the risk that the sponsor will report him/her to immigration, or will simply not present him/herself for any scheduled appointments or interviews with immigration. Thus, the migrant enters into an uneven relationship with the sponsor and he/she is effectively at the mercy of the sponsor. This explains why people would not opt for this strategy unless they feel they have no other possible choice. It is After all a risky affair for the migrant who could stand to gain everything or lose everything.

The migrants who do enter into a marriage of convenience follow some very basic principles. On average people pay about \$5,000 for a marriage. They pay half of the money

up front and the other half is payable when the migrant gets his/her landed immigrant papers. The sponsor is expected to sign any and all documents necessary to pay for the sponsorship proceedings and to present him/herself for all appointments with immigration Canada. In addition, the sponsor must keep the migrant informed of his/her whereabouts so that the migrant can contact the sponsor quickly should the need arise. The sponsor also agrees to report in his/her tax returns that he/she is married and/or report a change in marital status to the welfare authorities. The sponsor must report these changes, if he/she is receiving social assistance as immigration Canada can verify this information. Furthermore, the migrant will assume the costs of the divorce, which is usually filed just before the migrant receives his/her landing or immediately after.

Considering the above, it is understandable that the migrant may wait to meet and marry "for real". It would be cheaper and less nerve racking for the migrant, who would at least be secure in the knowledge that it is a real marriage. Nine out of the twelve interviewees who reported being married at the time of the interview did just that - they waited to meet and fall in love with someone for real. Of these interviewees 4 (subjects 16, 18, 19, and 20) met their spouses through mutual friends or acquaintances whereas another three (subjects 15, 13 and 12) met through chance meetings. One subject (No. 11) remarried his wife and another (No. 10) met her spouse through the personal ads. All of these subjects took a long time before being sponsored. Meeting someone, falling in love and marrying is part of life course and it takes time to materialize, thus the migrant's choice to wait is premised on this notion. It may very well be that the migrant will be more vigilant or more eager to enter into a

relationship with a landed immigrant of Canada as opposed to another migrant who is without status in order to expedite his immigration file in Canada.

Data obtained under the Access to Information Act and reported in Lexbase in April 1995 (1995,1) offers a descriptive analysis of more than 37,200 family class sponsorship applications deposited with immigration between March 1991 and March 1993, representing some 69,800 persons. The analysis focuses primarily on (a) the distribution of sponsorship applications by category; (b) the number of persons per application category; (c) the main source countries; (d) the distribution of applications by number of years the sponsor has been landed.

"The data show that 42% of sponsors made an application to support close relatives within a year of being admitted to Canada as a permanent resident, and 75% filed an application within four years of landing.

Overall, sponsorship applications on behalf of spouses are most numerous, representing 38% of all applications

Included in the top ten source countries were India, China, Poland, Philippines, Jamaica, Guyana, Sri Lanka, and Pakistan".

These findings support, in part, the fact that migrants are marrying while in Canada. Furthermore, sponsorship made on behalf of spouses was the largest category.

Migrants who do not wish to enter into a marriage of convenience or who are unable to find a suitable partner will sometimes try to obtain a job offer from a current or prospective

employer. Migrants believe that because they are hard workers and they contribute to the Canadian economy they should be able to become landed. This often leads migrants to request that their employers sponsor them through a job offer.

D. Job Offer

An employer who wishes to hire a foreign national to work in Canada must file an application with the Canada Manpower office and a copy of this application is forwarded to Quebec Immigration. The Federal Manpower office will also indicate to Quebec whether or not it intends to accept or refuse this request for foreign employment. The employer must also file with the Quebec Government. This application describes the nature and duration of the employment offer, the salary and benefits being offered, and gives reasons as to why the employer wishes to engage this particular migrant (i.e., what skills the migrant possesses). The Quebec Government will then also make a decision as to whether or not to accept the request. If the request is accepted the migrant is issued a work permit from the Federal Government and a Certificate of Selection from the Quebec Government. Both documents are required to enter Canada legally.

Live-in Domestic or Caregivers are a group of women who will often request and expect that their employers whom they serve loyally will undertake to sponsor them as domestic live-in caregivers. The law assumes that any one wishing to become a resident of Canada must apply from outside Canada. However many domestics are already in Canada

when they apply. The strategy used by domestics is that they will come to Canada and locate an employer who is willing to sponsor them and then they will provide immigration with an address outside of Canada. Usually, this address is in New York or another U.S. town that is fairly easily accessible to Montrealers. All documents are forwarded to that address and the migrant will go to the States for the personal interview with a Canadian immigration officer. At the end of the interview, they will return to Montreal to continue working for the same employer.

This strategy appears very easy but there are potential problems at every level. First, the employers will often lead the employees to believe that they will be taking care of them but do not in the end do so. Second, the employee may have a difficult time crossing to the United States legally and returning to Canada legally, as well. Also there exists a list of occupations or jobs for which there is a shortage in Quebec and the jobs for which migrants obtain job offers for are service sector or low skilled jobs that can be filled by most residents.

The following case history describes some of these issues in more detail (please see Chart No.7, Appendix C). Peppi (No.4) arrived from the Philippines in August of 1986 alone on a visitor's visa. She planned to remain in Canada after arriving on a visitor's visa. She says:

"Yes, and get my family here, but unluckily, because of so many disturbances and so many obstructions, I was not able to. It has been a very long process. It has been almost eight years."

Clearly, Peppi's strategy was not only to come to Canada but to sponsor her family as well. In this way it is very much like Martine's . However, her first route was that of a job offer. She says, "I wanted to find a job, and I took a chance, but I was not lucky". Her goal was to find a job as a domestic, and be sponsored by her employer. She stated that she arrived in Montreal in August of 1986, found a job with the help of a Philippine friend who accompanied her to an agency. The employer whom she met through the agency applied for her shortly after she started working in September of 1986. Her visitor's visa expired in November of 1986 and she applied and received an extension of that visa. In February 1987 Peppi was informed that she had not been accepted as a live-in domestic. Peppi says:

"I continued working for my employer. I extended my visa. And then I applied for refugee status. From 1986 to 1987, I was on a visitor's visa. April 29, 1987 was the expiration date of my second extension. I applied for refugee status on May 1, 1987"

Peppi states that while she waited for an answer on her sponsorship, she worked without a work permit for the employer who was sponsoring her.

Peppi declares not having any formal knowledge of the immigration laws, yet it is clear that she did have some knowledge. The knowledge I presume was acquired through informal networks. In Peppi's case the network set out expectations and delays within which results should be obtained. This indicates that contrary to what migrants appear to be saying, they do have information regarding the immigration laws. Migrants arrive with an intention to become permanent residents of Canada. The expectations are shattered

when things do not go according to plan and disappointment sets in. So, when Peppi did not succeed, a counsellor suggested that she make a refugee claim in order to get her work permit. She did get a work permit. She did work legally. The expectation which she now had was that the fact that she was working would increase her chances of being accepted as a permanent resident of Canada. Yet, this did not happen. In January of 1992 she was refused as a Convention refugee. Peppi was left without status in Canada and unable to obtain landing. Peppi says:

"Their approval is the only thing I would like. I am alone. All my friends are really surprised how I am surviving. And still I am very happy, I am always singing and always laughing. I am always happy. I say to them, what do you want to see, me always crying. I do the crying when I am alone. I can manage I know how to fight. I hope (to get the approval) because I do not know anymore what to do. I have nobody to talk to. I don't talk to anyone at work about this. Nobody knows. I don't tell the family either. My husband does not know anything"

Considering all of the setbacks on her journey to becoming a landed immigrant of Canada, the interviewee is asked if she would be better off back home:

"No, not anymore. I am already used to here. I have learned to adjust myself and really, if I can get my family, I want to stay here. That is really what I am working for, waiting for, and hoping for. Do you know how much I spent to get that working permit? Two thousand five hundred dollars. Anyway, I am happy because I had a working permit, but it expired last January 1993"

This introduces the theme of the wage differential between Canada and the Philippines, as is evident through the importance

the subject places on having a work permit and earning a living in order to support her family, she says:

"I send money back home because of my children. I send them five hundred dollars a month. That is not enough, because my third one is taking medicine, the second one is taking psychology, and and the eldest one is taking architecture. They are all in the city, and we have to rent a place. It is not enough because it is very expensive in the Philippines"

This is yet another illustration of the wage differential. Although, she declares that the \$500 she sends is not enough it is important to realize that she is supporting three adult children in residences through higher education. It would not be possible for her children to receive a comparable education and to live for that amount of money in Canada. Thus, the wage differential appears to be pivotal in maintaining Peppy as an illegal migrant in Montreal despite some very difficult conditions and repeated setbacks in reuniting her family through sponsorship in Canada. Peppi says,

"If I am really in need of money or anything, I am not ashamed to ask. I am not ashamed"

So, she approached her present employer, for whom she had been working since December 1989 to sponsor her:

"Because I needed his sponsorship, so I went to ask him. I asked him after I was refused as a refugee in January, 1992. That is when I went to him and explained the situation. He wouldn't help me"

Since January of 1992, Peppi has been waiting for the immigration authorities to do

something with her case. She is not hiding, she has not moved, she has not changed her job, she is living in government subsidized housing, she files income tax returns and she receives income tax refunds. But she is not legal. Peppi describes the situation as follows:

"The unfairness. Why the others are accepted as immigrants and not me. I don't know if I feel cheated. I have three friends, their families are here already. If I were legal, I would feel free as a bird. I could do everything. Now there is something that controls me"

To conclude, the strategies which were discussed emerged from the life stories relayed by the interviewees. These life stories have allowed us to hear the voices of the individual subjects and to witness their realities, their hardships, their fears, their hopes, their experiences and their struggles from their perspectives. The cases demonstrate that these individual subjects have their own agendas, agendas which conflict with the government's agenda as expressed through public policy and law. The agendas of the subjects are rooted in the material and cultural conditions of their lives, and it is the expression of these experiences and their realities which push them to migrate or to stay in Montreal illegally. The individual agendas of the subjects do not fit neatly into general sociological or economic theories that purport to explain migratory movements.

Chapter 7NetworksIntroduction

As discussed in chapter 4, since the 1950s, much attention has been focused on networks and the role of family relationships (Bott 1957; Young & Willmott 1957). Studies have sought to uncover the dynamics of the role and function of networks in a variety of network structures and their different uses for social control, for communication, and for instrumental activities such as getting jobs, distributing goods and services, and building political support (Bott 1971, Mitchell 1969, Granovetter 1974).

Networks act as facilitators in the decision to migrate and in assisting and sustaining the illegal migrant in Montreal. They provide the recently arrived migrant with a point of departure; a contact or resource person. First, if this contact person is close family, there are certain obligations which are binding in nature and usually mean that the Canadian host is responsible for the new arrival. However, if the host is not a close family member and/or there are no obligations then the host is less likely to act as a sustenance unit. I would therefore argue that migrants will diverge onto different paths depending on the degree of familial links. Second, regardless of the migrant's degree of familial relation to the host, network(s) are in place which assist the migrant upon arrival and sustain him/her during their stay in Canada. These networks may be personal (close family) or social or more impersonal in nature like: extended family, friends, acquaintances or kin. These networks or set of networks assist the

migrant in settling into the host country (Anderson, 1974). This becomes particularly relevant as it raises the question of the role played by networks (close, social and/or formal or combinations thereof) in the occupational channelling of migrants (Anderson, 1974, 101).

In order to contextualize the migrants' experiences it is important to examine how the local economy interacts with networks. The emphasis here, will be on the local economy, the structure of jobs, wages, and employment cycles. To this end, the discussion will revolve around what networks "do" for the illegal migrant. The life histories of the interviewees in the sample demonstrate how the subjects who do have familial network assistance differ from and/or resemble those that do not have the same assistance, in areas such as: adaptation to the host country, obtaining housing, obtaining employment, obtaining utility services, dealing with immigration problems or strategies, getting children to school and opening a bank account.

Section I

Networks of Job Information

The questions which will be examined are the following:

1.- Granoveter (1973) identified three methods used by employees to secure jobs: formal means, personal contact, direct application³⁵.

The question is to discern if these methods are equally applicable to the population under study (given it's defining characteristic of illegality). If these methods are used, which is the preferred method of the interviewees?

2.- Anderson (1974) has pointed to the reliance of migrants rely on a resource person and/or gatekeeper to find them jobs. This discussion will revolve around two main groups of resource persons: 1.- family (immediate and extended), and, 2.- friends and acquaintances, and the strength of these associations.

The question is to determine and assess to what extent the migrant relied on a resource person and what role this individual played in first, receiving and lodging the migrant, second, assisting the migrant in locating employment, and third, in settling in the host country.

3.- A distinction was made by Granovetter (1973) between strong ties and weak ties. He reported that it was primarily on the basis of weak ties that employment was secured.

The question to be examined here is whether or not illegal migrants rely on the same kinds of networks to locate employment.

A. How Migrants Found Their First Job

The interviewees have migrated in search of better employment opportunities but they have decided to move because they have information that tells them that there are jobs. This finding is consistent with Anderson et al., (1976,35), who found that immigrants reported that economic opportunity was the major stimulus to Portuguese migration to Canada.

As was shown in Chapter 6, almost all of the interviewees arrived in Montreal as visitors. Thus they did not have jobs to come to and had to find jobs. It was found that the interviewees come to someone in Montreal or at least have the name or reference of a contact person. This individual is expected to offer the migrant some degree of assistance. This individual usually will lodge the migrant and assist during the adjustment period wherein they help them find housing, employment and procure basic services or refer the interviewee to one or more persons for assistance. However, initially the concern for migrants is to obtain

employment. Migrants therefore turned to their "hosts" for information regarding ways of finding employment. The first thing which migrants do is locate someone who can put him or her in touch with an occupational gatekeeper. This is consistent with previous findings (Anderson, 1974).

Once in Montreal the migrants rely on networks to obtain employment. Personal contacts may be a preferred manner in which migrants in Montreal obtain employment. However, when information is not available through this medium official channels, such as placing or responding to a newspaper help wanted ad; or going to an agency are used. It was found that these channels were used especially when the migrant first arrives and has a more limited network and in cases where their contact person can not assist them.

Most migrants located jobs through informal means: family, friends, acquaintances or kin or references from these people - people known to these contacts. Even in cases where interviewees relied on formal means they did so at the suggestion of friends or family. One respondent (No.6) stated that: "The very first time, I put an ad in the Gazette. I put an ad in the paper for house cleaning. My sister told me to put in and ad". Other migrants who went to private employment agencies³⁶ employment agencies³⁷ were accompanied by friends, family or friends of friends. One man (No.2) stated:

"When I arrived here I did not know anyone at all but I made friends with people in the apartment building and neighbours. It was a man whom I met from the building across the street from mine, we had seen each other day

in and day out in the street and then we started to talk and we became friends. I told him about my situation and he said he would help me. He was the person who brought me to the agency. Together we completed an application".

Another woman (No.4) reported "I asked a friend who had the same papers as I had to go to an agency that could help me. I knew her from back home". Yet another respondent (No.7) reported:

"I was staying with friends from back home. My friends told me they knew someone who knew of an agency. She took me to the agency. The agency placed me in a job with someone who would sponsor me."

Half of the interviewees found their first job through informal means whereas the other half located jobs through friends, family, acquaintances and/or referrals from these people or from friends of friends. One subject (No.5) reported "I got the job because my cousin knew somebody and she sent me to them". Another respondent (No.11) stated "my wife's friend she found this job for me". Yet another interviewee (No.12) reported

"my friend told me that the company he was working for was looking for people. Together we completed an application".

Another woman (No.4) reported "I asked a friend who had the same papers as I had to go to an agency that could help me. I knew her from back home". Yet another respondent (no.7) reported:

"I was staying with friends from back home. My friends told me they knew

someone who knew of an agency. She took me to the agency. The agency placed me in a job with someone who would sponsor me."

One subject (No.5) reported "I got the job because my cousin knew somebody and she sent me to them". Another respondent (No.11) stated "my wife's friend she found this job for me".

Yet another interviewee (No.12) reported

"my friend told me that the company he was working for was looking for people and he asked if I would be interested. When I told him that I was interested he told me to go in and speak with his supervisor".

How a migrant obtained his/her first job in Montreal is important as it is the stepping stone for further job references in Montreal. The migrant through the first employment builds references which could be used to acquire future jobs. In fact it was found that the interviewees who found jobs through the newspaper then found more days work or future jobs through informal means. One respondent (No.1) explained "in that area there are a lot of people and it was very easy to find something rather quickly especially after you are already working with someone." Another respondent (No.13) said

"I looked in the Gazette and went in for an interview. I had five interviews and one lady was looking for someone to do two days work. She asked me for my papers and I told her everything. She hired me and she told me that she was hiring me because she really appreciated my honesty. Then this lady found me three other days work and then I had a full week. This lady's mother needed someone too and

she referred me to her and then I started to work for her too. Then this other lady, who was a friend of hers also needed someone for two days and I started to work for her as well".

It was found that 78% of the interviewees found their second job through informal channels. Eight of the interviewees did not find a third job but of the twelve interviewees who moved onto a third job 58% secured employment through formal channels compared to 40% who located employment through informal sources. The increase in the reliance of formal sources of employment inquiries may be explained by any number of factors. The respondents may have wanted a change of sector of employment, or may have left under unfavourable circumstances or simply that the respondent did not want to bother any one for help. As respondent (No.7) put it "All this stuff I have to do on my own. I don't like going around asking people for favours. If I am in a really desperate situation I'll ask someone. Otherwise, I would do it on my own". This contrasts with the view expressed by another respondent (No.11) who said

"It is very difficult to find jobs unless you have a friend working inside a place. If you need a job you can not get a job unless you know somebody working there. If you go there and ask for a job they will tell you well fill out an application form and possibly they might call you".

This suggests that the choice of employment channels may also differ among individuals depending on their attitudes and perceptions. Another respondent (No.5) echoed the last subject's sentiments:

"I would just meet somebody and ask them about a job. I don't really have to know somebody. Like if you tell me that you are working in such and such a place, I would ask, So are they taking people? That is how I ended up with the job."

This last subject puts out "feelers" (Anderson, 1974, 73) in several directions and to a number of potential occupational gatekeepers in the hopes of increasing the chances of getting a job. This is not a very common strategy among the interviewees. It was found that the interviewees preferred to put out feelers to a more select group of occupational gatekeepers or else work through the anonymity of the newspaper for example. This may be explained by the fact that they are illegal and if they just start to ask people that they meet then that means that people may ask questions about their status and they may have to lie or tell the truth and risk possible disclosure. Illegal migrants prefer to do things quietly without raising too much attention to themselves. As one migrant (No.11) put it "I do not like people asking me questions. I get very nervous when people want to know my business".

To illustrate this dynamic schematically, Flow chart 8, illustrates the possibilities available to the migrant who wishes to secure employment. Table 12, describes the methods used by each of the interviewees to secure their first, second, third and fourth jobs in Montreal.

I will present the voices of three migrants to summarize the ways in which migrants obtain employment.

Christine's (No.5) case is typical of most illegal migrants as she started to work almost immediately after arriving in Montreal yet she arrived as a visitor and had no job lined up. The interviewee migrated with her two minor daughters and came to her sister who was already a Canadian citizen. But she says, her sister was not of much help as she worked in a senior citizen's home and everyone there was working legally and she does not know of anyone who will hire people without papers. Thus, Christine like half of the interviewees found her first job through the newspaper, in this case, the Gazette. Christine stated that she saw a help wanted ad and called in for the job, was granted an interview and offered employment immediately. She subsequently, secured employment as a domestic and was not asked for references or social insurance number or anything like that. Later her employer told her that the minute she had seen her walk through the door she knew she was the right person.

Christine was unable to follow her employer to Florida because she could not risk leaving the country without papers ensuring her legal re-entry into Canada. However, she was looked after by her employer as she provided future job information. Christine's employer's daughter introduced her to a friend and that is how she got her next job.

Flow chart No.8

Methods Used to Locate Jobs

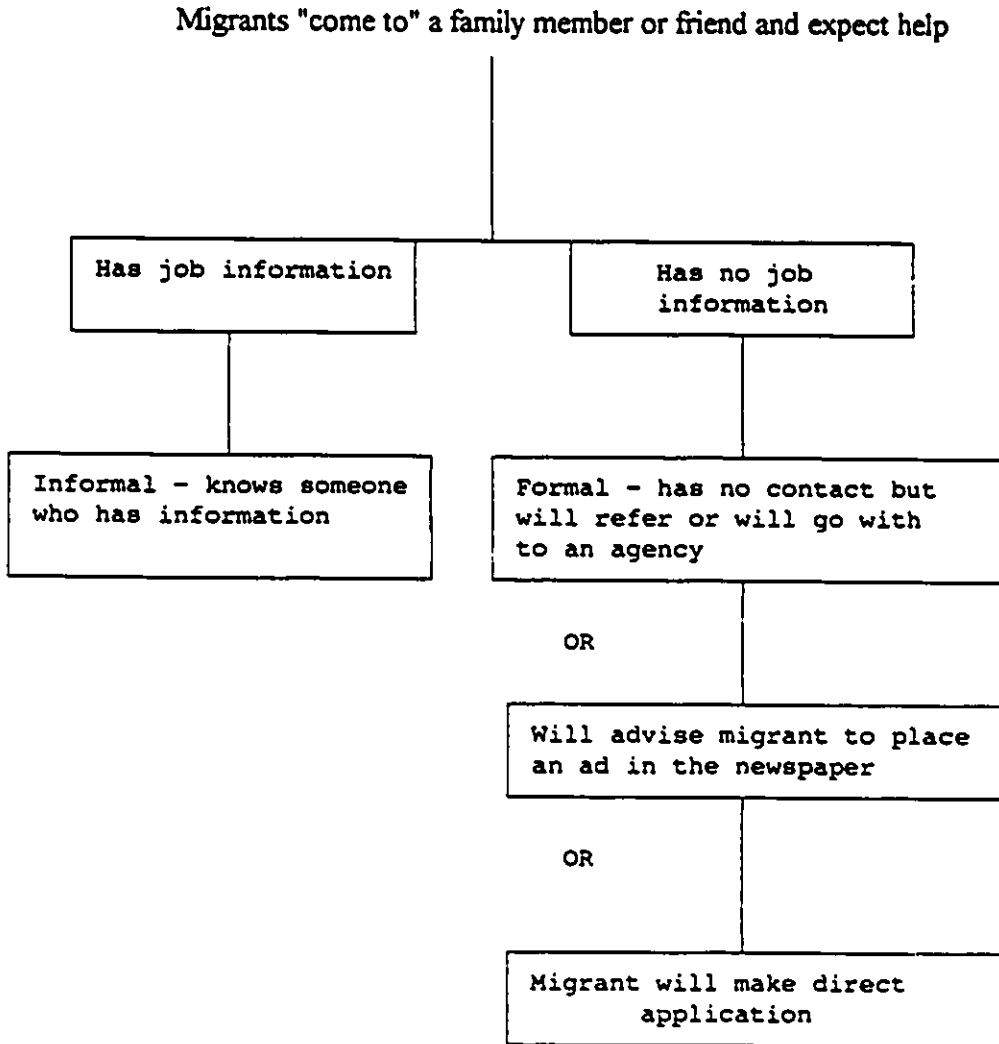


Table 12

Methods Used by Interviewees in Obtaining Their
First, Second, Third and/or Fourth Jobs

Interviewee	1st job	2nd job	3rd job	4th job
1 (F)	formal/ad	informal	formal/ad	formal/ad
2 (M)	formal/ag	dir.app.	informal	informal
3 (M)	informal	formal/ad	formal/ad	formal/ad
4 (F)	formal/ag	informal	-----	-----
5 (F)	informal	formal/ad	formal/ad	-----
6 (F)	formal/ad	informal	-----	-----
7 (F)	formal/ag	formal/ag	formal/ag	-----
8 (M)	dir.app.	dir.app.	-----	-----
9 (F)	informal	informal	-----	-----
10 (F)	formal/ad	informal	formal/ad	-----
11 (M)	informal	informal	-----	-----
12 (M)	informal	informal	informal	informal
13 (F)	informal	formal/ad	informal	-----
14 (M)	informal	-----	-----	-----
15 (M)	informal	informal	-----	-----
16 (M)	formal/ad	informal	informal	informal
17 (F)	informal	informal	informal	-----
18 (F)	informal	informal	informal	-----
19 (M)	informal	informal	informal	informal
20 (M)	informal	-----	-----	-----

formal/ad

- refers to either placing or responding to newspaper ad

formal/ag

- refers to going to an agency: all interviewees were accompanied by a friend to the agency

- means that the migrant did not go on to a third or fourth job - remained at last job.

An examination of Christine's employment career illustrates the route followed by one particular migrant. The transmission of information was altered from being initially formal to informal, that is it became one of personal contacts. The shift was made from the formal means of obtaining employment to personal contacts because Christine had a favourable referral. Later when Christine left her second job because she was not satisfied with the working conditions, she did not obtain a referral. Thus in the absence of a referral or familial assistance she resorted to formal means again, that is responding to "Help Wanted" ads.

Jack (No.3) is different from the other interviewees in two ways. First, he exemplifies the usefulness of weak ties and the value of contact persons in securing employment and second, in the kind of employment he secures. He had a girlfriend in Montreal and that is why he had decided to migrate to Montreal. Yet she was not very helpful in terms of securing employment for the subject. The subject reported during the interview that he began to search for a job almost immediately after arriving in Montreal. He was searching for work in the entertainment industry. He explained that he had met people in the Caribbean while he worked at a Holiday Resort as an entertainer. He explained that he collected business cards from people all over the world, including Montreal. He had the name of one particular person, whom he looked up but that person did not have a job for him but referred the subject to a friend of his and that is how he started to do modelling jobs in Montreal. His later jobs in the industry blossomed from these early contacts and he got more referrals from people who were

impressed with his work and then people started to see that he could do other things like fire shows³⁸, he rapped and he Mced so word got out and he was quite busy. However, the interviewee also relied on formal means to secure himself a day job in the telemarketing industry. These jobs were obtained through newspaper ads.

Although, Jack, had close ties with, his girlfriend and later wife, he received very little assistance from her in securing employment. Rather, it was his weak ties, the contacts he had acquired before migration that enabled him to get a job in the entertainment industry. It was a field in which he had gained expertise and he had professional contacts. Thus, even though he was in a new city he was able to find people whom he had met before and make his name known. He had the right contacts. But, the circumstances were right which facilitated the easy flow of the information between actors. The most important thing was finding first job in Montreal after that newly formed personal contacts within that social network increased the possibilities of finding more employment.

Bob (No.2) found his jobs through personal contacts mediated by formal means. Like the other two subjects he was able to find employment soon after arrival in Montreal. However, whereas the other two subjects found jobs within weeks of arrival Bob did so about two months after arrival. This may be accounted for by perhaps two factors, the first that he had enough money with him that may have carried him over for a few months and second, he reported not having anyone at all to come to. He stated that he chose Montreal because he

wanted to find the mother of his children but he did not know where she was. Furthermore, he was accompanied by three minor children. It is therefore probable that the subject was more preoccupied with finding housing, settling down and taking care of the children before he embarked on a job search. The fact that he was accompanied by three small children differentiates him as only three other subjects were accompanied by children at the time of migration. Bob was brought by an acquaintance to an employment agency. He reports presenting himself at the agency, completing an application and finding a job painting with a big firm, on that very same day. Bob has an extensive network of friends and acquaintances that can refer jobs to him individually or refer him to public gatekeepers. When asked how he met these people he said that they were residents of the same apartment building or neighbours and former acquaintances which he made in this way. Bob relies on agencies that supply illegal migrants or others with employment opportunities. These agencies, he reported, are advertised as immigrant centres but in fact they are employment offices disseminating information on employment vacancies. Bob's knowledge is very detailed. He has business cards and has names of other contact persons who will find illegals different kinds of jobs. Bob unlike most of the other subjects diversifies into different areas and has a very wide and diversified social network. This is evident from the amount of information which he produced during the interview.

The three subjects interviewed all used some combination of formal means and personal contacts to obtain employment. Hence supporting Granovetter's thesis that weak ties can lead to strong ties. Interview data did lend support to chain migration theory which purports that migrants had someone in the host country to offer them support and orient them in terms of employment opportunities and in settling them into the host country. The jobs the subjects found were unrelated to the closer kin relationships they had in Montreal.

B. Lodging

The person to whom the migrant comes to, usually lodges the migrant for a period of time. It is not until the migrant has had time to start working and saving money to allow them to go on their own that they will move out. If this period becomes a protracted one then the migrant may stay with another person, friend or family member. It is often the case that migrants who have brothers and sisters or aunts and uncles will stay with each one for extended periods of time. One interviewee (No.12) reported:

"my sister sent me the ticket. She invited me to come to Montreal for 21 days. I lived with my sister from 1990 to 1992 then from the end of 1992 to August 1993 I lived with my brother and then I lived with my aunt.

Another respondent (No.13) said,

"I was living with my sister when I first arrived but then I moved out because we were not really getting along very well. I went to live with my other sister and she encouraged me to stay and stick it out".

Another interviewee (No.6) said,

"when I came I stayed with my sister who is landed. She said that I could find a job, and after that, we'd take it from there. I am still living with her now."

One interviewee (No.9) said,

"when I came I went by my daughter's godfather in Toronto. I stayed in Toronto for a month with him. They then brought me to Montreal. I went to stay by a friend from back home. She is my aunt's niece, she said she would take me in, instead of staying with people I don't know. I stayed with them for two years. Then I got my own place".

Another interviewee (No.1) stated,

"when I arrived I lived with a friend of my cousin's whom I knew from back home. I lived with him and his wife for over a year and a half. But then things happened and I had to move out quickly...

A friend referred me to a male friend of hers and she told me that I could stay with him temporarily until I found a place to stay. Then I found myself a new job and I moved out within five weeks."

This compares to the experience of an interviewee (No.2) who had reported that he came to Montreal to look for the mother of his children. The man said,

"when I arrived I had some money. I had sold everything in my country. I had a small construction company which I sold. I also sold all of the equipment. We (he and his children) lived off that money for the first few months. When we got here we looked for a house and we found ourselves a place".

In this way, the family helps the migrant save on lodging and other expenses until such time as the migrant gets a job and saves enough money to go out on his or her own.

C. Opening a bank account, obtaining utility services, leasing and apartment

The interviewees also described their experiences in procuring basic services like opening a bank account, obtaining a telephone, or leasing an apartment. The migrant's contact person often assists the migrant in these tasks. Many migrants did not have a bank account in their name and therefore had to rely on someone else. Migrants also encountered difficulties in obtaining basic utility services, like a telephone or electricity. They are required to provide these institutions with a social insurance number or a passport. Thus, the reason why migrants require the assistance of a kin, family or friend, is to have their telephone and electrical bills in that individual's name. One interviewee (No.9) said "I do have a bank account. I used my passport to open it when I first arrived". Another subject (No.6) said "the telephone is in my sister's name. My sister has a phone not me. Everything is in my sister's name because she is a citizen. I live with her". One man (No.15) stated

"since I moved into my wife's apartment everything is in her name. Right now immigration does not know that I am here. I do not exist. I have nothing in my name not even a bank account. So they do not know that I exist!".

Another woman (No.1) explained the arrangements she has made as follows.

"I have a telephone, but it is not listed in my name. My friend decided that she would give me a phone. When I went in to

apply for a phone, they asked for identification. They said that someone else could sign for your phone, so my friend did that for me. My hydro bill was in my name once but when I moved to a new place they asked me for a social insurance number. My friend rented the apartment, so they sent the bill in his name. The lease is in both our names but I live there alone".

Yet another subject (No.8) declared that

"the telephone is in my name. My friend got it for me. He put my name by mistake. They asked him how many people will use the phone and he put my name down. It is in the white pages."

But he says,

"hydro is not in my name. It is in the name of another friend. The house is in another friend's name".

In addition he says,

"I do income taxes but it is not for me. It is under my friend's name, he deals with it. Whatever papers I have at the end of the year, I give to him and he does it. For my work I do income taxes in the name of the person I am using. I give him the money like a present".

One interviewee (No.7) says,

"the telephone is not in my name. It is in the name of my friend in Toronto. When I moved to that apartment, I wanted a phone, and my daughter's god father said he would get me one. My friend said that I would not have it in my name. I do not pay hydro bills. I have no lease. I live alone. When I went for the apartment she told me that I would

not have to sign a lease. She does not know¹ about my situation. She said that when I want to leave I have to give her a month's notice. I have been there for two years."

Another subject (No.17) reports that

"the telephone is in my friend's name. The apartment is consigned by my uncle. The hydro is in my name. The landlord called for a tenant so they just gave it to him without any problems".

Thus as appears from the above quotations the subjects do not have a uniform or consistent way of doing things. In fact, what these passages illustrate is that they draw on different people for different kinds of assistance. Furthermore, the institutions with which they deal seem to request different things from different people. There is much variability across and between institutions thus the migrant simply finds someone to help them with any one particular need at a time. The result is that the migrant relies on a number of people whom he or she can call on for assistance or to facilitate the simple tasks of obtaining a telephone or hydro.

Overall the subjects either had bank accounts which they opened when they first arrived and were in possession of legal immigration documents or they have an account which is a joint account with someone who is legal in Montreal. One subject (No.6) said " I have a bank account. I and my sister opened it together." But another woman (No.13) explains that,

"I use to have a bank account in my name but every time I went to the bank they would ask me for my social insurance number. Since I did not have any I was afraid. So I just closed the account.

Now I have the money in an account with my future husband. It is a joint account."

The case of one interviewee, who made a refugee claim but was refused and has been illegal since 1990 is noteworthy. The interviewee (No.4) explains,

"the telephone is in my name. I was not legal when I moved last April and they gave me a new number without asking any questions. The lease is also in my name. It is a subsidized government building. I just filed my application form, after one week they called me. The application form asked about my job, how much I am receiving. I just included my T-4. I showed my social insurance number. In a week, I moved. I have an accountant. I report my social insurance number. I receive refunds!." ³⁹

This is indeed a very rare occurrence.

D. Assistance with health care and/or medical emergencies

The interviewees were also asked if they had someone they could turn to in case of a medical emergency. A random sample of their responses are reproduced to illustrate how the migrant deals with a medical problem. The sentiments of most of the subjects are captured by the words of one woman (No.4) who says

"every day, I always hope that I will not meet any accident. That is the only thing, because in an accident, even a very simple accident, you will be brought to the hospital, and first you will be discovered because of the medical card. Immediately you will be

caught. That is why I am very careful. I am very slow, I don't run for the bus, I don't run because I will be late. I am very slow. I am very careful with myself because I know that there is a control in every action that I am doing. At work, I am also very careful in everything. Even in giving medication (at work), I am very careful. I don't want to be questioned. I haven't been to a doctor since 1992".

Another subject (No.6) when asked what happens when you are sick said,

"I go to a doctor. It depends on what is wrong. I go to different doctors. Some doctors charge \$50.00 for the first appointment, then they charge \$60.00 just for coming to the office. Let's say I have this pain in my side. I will come to you and you would check to see what is wrong, and then you would charge me \$60.00.

If I need medication they prescribe it. They ask me why I do not have many medicare card. I tell them I am not eligible to get a card. They ask if I am a landed immigrant. I would get so mad and say not yet.

Once I had to go to the hospital for some tests. The doctor who sent me there knew that I was not legal.

He organized everything and said I had to pay \$200.00 to have this specific test done. I agreed of course. When I went to do it the woman asked me why I don't have a card. I sat here and I was so mad because there were people sitting there. The people were looking at me and I got up and asked if we could do this somewhere more private. She was still asking me in front of everybody. Everyone

was looking at me, and they were so nosy,
they kept looking at me.

But I never used my sister's medicare card.
I was afraid I would get caught."

This last respondent's comment, "I have never used my sister's medicare card", reflects the fact that migrant's have at their disposal the use of someone else's medicare card - a family member's or a friend. However, only one of the interviewees in this sample disclosed the fact that they had used any one else's medicare card.

The interviewee (No.13) stated:

"In the beginning I used my sister's medicare card whenever I needed to go for a check-up but now I have an allergy problem I go see the doctor and I pay each time I see him".

In the above passage, the interviewee is implying that she used her sister's card for general examinations only, but when she developed a problem it was no longer feasible to continue to do so. This is because the diagnosis and treatment would be part of her sister's medical record and she did not want that. Although, only one interviewee reported using someone else's medicare card, it is my experience that illegal migrants do use other people's medicare cards especially if they require hospital care or expensive tests. All of the interviewees either stated that they paid for the medical services they required or that they simply refrained from seeing a physician.

The individuals, in the sample, who are refused refugee claimants had access to their very own medicare cards when they were in status (legal) in Canada. However, medicare

cards have an expiration date and cannot be used after the date of expiration. The migrant who becomes illegal can no longer obtain a medicare card.

E. Social Insurance Cards

The situation with respect to medicare cards is different from that of social insurance numbers. Here, we are talking only about those migrants who made a refugee claim, were refused and are now illegal. These individuals acquired legal status at one point in time during their stay in Montreal. Refugee claimants can apply for a work permit or work authorization from Canadian immigration once they are in possession of this work permit they can then apply through their local manpower office for a social insurance number. Thus the immigration has control over the work permits that it issues but does not know how many people used the work permit to obtain a social insurance number. In fact migrants are allowed to work with the work permit alone. Therefore once their claims are refused no further work permits are issued. However those individuals who obtained a social insurance number continue to work legally, with that number. The existence of the social insurance card is a legislative loop hole for the illegal migrant. More recently, though, employers have begun to request work permits along with the social insurance numbers to avoid some of these problems.

Of the interviewees who were not on refugee status, there are some who were working with a false social insurance number. Some of the interviewees either bought or

borrowed social insurance numbers and worked under the name of the bearer of the card. One male subject (No.12) explained:

"In the job I have now I do not use my real name. I use someone else's social insurance number. The name of the person is Jean Marque (pseudonym). I bought his social insurance card for \$150

I bought the card from a friend. I was offered a job through a friend from back home and I bought the card from another friend ..."

The above passage illustrates the fact that some of the subjects have tried to buy some legitimacy in Montreal through the use of a false social insurance number. This permits them to work legally, so to speak. But they are always living and working in fear of being discovered. One interviewee (No.7) summarizes this fear in the following terms:

" ... I don't want to draw attention to myself so I just keep quiet.

... Every time I see the supervisor come to me I wonder what is going on.

Did he find something out?

I don't like people to know where I am going. I go by myself. Most of the times I do things by myself. I don't let people know my telephone number either. I am illegal here. I don't trust a lot of people. I don't know what could be said or done."

Whether the interviewees were working without proper documentation or with a false social insurance number, they are always living in fear. Fear that someone might say something to the wrong person and they will be discovered, fear that a misunderstanding

between themselves and a friend ill lead them to report the migrant to immigration, fear that someone may be jealous of what they are accomplishing. They are condemned to a life of insecurity.

E. Insecurity and Fear

The interviewees also repeatedly raised the issue of being afraid of speaking to people.

One subject (No.5) said,

"People do not know of my situation. You can not tell any one. You do not know who to trust if you tell the wrong person they may tell immigration for no reason."

Another subject (No.13) stated,

"I must watch out for the friends that I keep. One friend I had before took advantage of me and I am afraid now. I loaned her \$2500.00. She had no papers too, she was like me. Then she got her papers and I asked her to give me back my money because I needed it but she refused. She said she would not give me back my money and if I insisted she would report me to immigration. So I could not do anything".

Yet another subject (No.11) added

"I can not stand this situation much longer. Now it is better because I go out to work. I am afraid to go out. I may be at the wrong place at the wrong time. It is not me that I am worried about it is the other people and if you are with them they take you too and what will happen when they find out I have no papers.

So I just go to work and come back home. Before I was just at home and I was going crazy. My poor son I used to pick on him. I didn't want him to move. Every time the phone ring I was afraid. I did not want to pick it up because I think may be it is immigration. Then we got the new telephones with the numbers and I feel better. I always check the number before I pick up.

I was going crazy. It is no way to live.

Then what happened, see in the old place we were living a couple of days after we move the immigration raided the place and they take everybody who was illegal. We moved because I knew the police would come one day because some guys in the building were doing drugs and I was afraid the place would be raided.

I do not do anything but if the police ask me for my papers and I do not have papers I am in trouble.

I do not stay out late too because sometimes you know, when you walk in the street late and the police can stop you and ask you what are you doing. It happened to my wife and if I have no papers they ask a lot of questions. So i just stay home."

The subject's wife complains that her husband is extremely irritable and unbearable. She complains that she has no social life with her husband and that their relationship has suffered as a result of her situation. She says,

"He will not go out. He refuses to go out and always look over his shoulder. So we just do not go out. We are always at home.

Now at least he goes out of the house to work. He just goes to work and home. We are always at home. But then again you can be at home and immigration can come and get you at home".

One illegal migrant who was not interviewed in this sample but who has been illegal for six years explains that:

"I was so afraid girl. I do not go out. I do not leave my apartment. I was afraid to answer the telephone. I had to go out for groceries but I was so, so afraid girl. I look and look before I leave the house. When I leave my house I do not wear my glasses because I am afraid they will know me with my glasses".

Many of the interviewees described that they developed a habit of always checking for unfamiliar cars parked on their residential streets before leaving their homes or before entering their homes. One interview (No.7) summarized these concerns with the following statement:

" ... when I leave work and am going home, I reach the corner, I always look to see if any strange cars are parked there. I know the neighbour's cars, so I always look for strange cars. I look around before I leave the house. I watch out for strange cars or strange people at work or near home."

In fact many migrants stay home when they are not at work.

They are afraid to socialize. They report turning down social invitations. The reasons most often cited is that when they are around a group of people those individuals begin to inquire about their lives. One particular woman (No.4) summed up this sentiment in the following way:

"I stopped going out with people because every time I attend even a small gathering, they will ask me Oh, you have been here a long time, why is your family not here yet? When they ask me that, my emotions start. They don't notice me, I understand that. But, to avoid this question, I stopped attending parties four or five years ago. I go to work, church and home".

Another interviewee (No.9) said:

"I am scared of people knowing my business. If you go around a lot with people, then eventually there are things you can not do one day, and they will want to know why."

G. Remittances

The interviewees, like other migrants, are embedded in social relationships prior to migration and after migration. The extent and nature of these social relationships and obligations change. In this vein, the interviewees acknowledge sending money back home to their families. The money that is sent back home is important on two levels, the first is that it changes the quality of the life of the families of the interviewees and second, it contributes to the improvement of the general economic condition of individuals in their country of origin. Furthermore, the remittances are a statement about the social success achieved in Montreal

and an attempt to improve their families social position back home. The families and/or caregivers for the children, in turn inform the interviewee on living expenses at home, on what things the children may need, on the cost of tuition fees and books, and this information determines how he/she will behave. This may mean that the interviewee may have to work extra hours, get a second job, and/or cut down on his/her expenses - in short, budget according to the needs of their children and family back home. These connections between the interviewee and their families persist, thus maintaining the system of social relations. The migrants expressed these views in the following statements, one interviewee (No.4) reported:

"I send money back home because of my children. I send them \$500 a month. That is not enough ... It is very expensive in the Philippines".

Another interviewee (No.17) says:

"I send money back home to my mother so she can take care of my children for me. If I send \$50 it's not much here but there it is like 1,000 or 2,000 in local currency and that is a lot of money back home".

Another interviewee (No.10), who reports having no children back home explains:

"I send some money back home. Not very much, but maybe every three months. I send about \$100 every three months to my mother".

Yet, another interviewee (No.15) acknowledges:

"I send money every month to my daughter. I send between one hundred and two hundred dollars a month".

A female interviewee (No.9) says:

"I send money to my sister to take care of the children. She is taking care of two children. One is on her own. The other one is with her sister and their father. I send money to them personally as well as for their pocket money. I send money to my sister and to my daughter's father. Sometimes I send \$100, I send \$100 to my sister every month and I send each one \$20 to \$30 for pocket money".

Another interviewee (No.7) also reports sending money to her family back home,

"I have to because I have to pay my son's schooling. For my son's schooling, I send \$200 every three months. Every month I send about \$50. I don't over-do it, because I have to keep some money, just in case something happens to me here".

Discussion

The case study of Christine supported Granovetter's thesis. It demonstrated the combination of the use of formal and informal means of job search. What motivated the use of one over the other is embedded in the social and/or employment context. In a situation where the interviewee is unable to 1) obtain any referrals from previous employers, or 2) the interviewee quit his/her job due to difficult job conditions or 3) the interviewee could not obtain a referral from friends or family or, 4) the interviewee could not rely on any personal contacts to supply employment information, in such a situation public gatekeepers are used. This is consistent with previous research findings (Anderson, 1974). Yet, at other times when the subject is building up a work week of days, for example, reliance on personal contacts became a viable route and this demonstrates the importance of private gatekeepers and the

importance of "word of mouth".

The findings of this study indicate that 50% of the respondents rely on formal means to obtain their first job. This contrasts with findings in the chain migration literature which reported personal contacts as the dominant manner in which immigrants obtained employment. In fact Anderson (1974, 72) concluded that it was a very rare occurrence for a newly arrived immigrant to endeavour to locate a job through impersonal means, such as replying to a newspaper advertisement. The second most widely used way of obtaining employment after arrival was to seek out friends (usually friends from the home town or local region) and to make inquiries about work. These friends in turn contact other friends. However this finding falls short of some of the network literature, like Anderson (74), which reported that friends took the new arrival to the company where the friend was employed and introduce him to those responsible for hiring workers. The findings of this study suggest that the contact person for the interviewees acts more as a facilitator. That is the person lodges and assists the migrants or refers the migrant to other people or suggests certain routes that the migrant should take.

The fact that half of the interviewees found their first job through formal means, particularly the newspaper or an agency, is surprising because simply finding one's way around a new city is a formidable task but to have the facility of knowing where to go or how to go about finding a job is an even greater task. Here, I am hinting at the existence of an organized international network facilitated by improved communication, transportation and

electronic media which informs the migrants as to what they can expect upon arrival, who they should see and where they should go to obtain jobs.

Such networks are common place among refugee movements as was discussed in the introductory chapters, wherein refugees relied on agents to bring or smuggle them into Canada (The Montreal Gazette, April 17, 1994, "RCMP take to the air to stem illegal immigration"; The Gazette, June 12, 1994, "Million people smuggled to West in year", Businessweek, November 14, 1994, "Send your Huddled Masses, and a Hot & Sour Soup"). I do not believe that the network at hand is as elaborate, or as organized or structured as the refugee movement. However, I would argue that the migrant arrives in Montreal equipped with considerable information. Perhaps the information is acquired through correspondence from other migrants who write home as was suggested in previous research (Anderson, 1976; Gilad, 1990) or they hear that certain services are offered through local networks. It is unclear what the network of transmission of information is with respect to illegal migrant employment possibilities. Some newspaper articles have suggested that employers post ads in local papers in the migrant's country of origin, advertising employment possibilities (Grenada Informer, 1994). Others cite the implication of attorneys or immigration counsellors who will advertise information sessions of prospective migrants to Canada. Yet other articles focus on the consequences of a depressed economy.

Conclusion

Before examining the conditions of employment of the illegal migrant a review of the answers to the questions asked at the beginning of this section is in order. With respect to question number 1, on the three methods used by employees to locate employment, more particularly: formal means, personal contact, or direct application, direct application is the method used least frequently. In fact it was used by only two of the interviewees and it was only used once by each. Formal and informal means were used alternately by the subjects.

The second question was partially answered in question 1, in reference to employment gatekeepers or contact persons. To review, the migrants who used informal channels in obtaining employment relied on a resource person. However, there was not necessarily a clear finding of a close association between the migrant and the gatekeeper. More particularly, the resource person may not be the person to whom the migrant "came to" but this person is likely to be the one who facilitates all the exchanges of information and directs the migrant to the "right" people.

The last question, addressed the issue of the strength of strong vs weak ties. The discussion of job information implied that migrant's located employment through weak ties. This finding is consistent with the literature (Granovetter, 1973) that argues for the strength of weak ties versus strong ties. It was often the case that the migrant found a job through a friend of a friend, or a sister's boyfriend or a friend of an employer or someone they had

known back home and met in Montreal by chance.

The importance of informal networks - especially the family networks - have once again been ascertained. These networks play a role in migration streams in general, and in illegal migration this is even more true. Furthermore, it is not only the migration of people, but the migration of information was also seen to be very important. The migration of information about how to "get here" and where to go to obtain basic services and how to locate a job was also very important in the network system. Sources of information, such as newspapers, letters and telecommunications taken by migrants (already in Montreal) towards potential migrants confirm and maintain the commuting type migration process. The interviews provided clear support for the strong influence on the importance of networks in attracting migrants to Montreal.

Job market information was also transmitted primarily through this informal network until the migrant was able to establish and build his/her own references and/or contacts.

CHAPTER 8**Illegal Migrants, Employers and the Law****Introduction**

This chapter focuses on the kinds of jobs secured and the conditions of employment obtained in the informal economy. This chapter examines the range of employment opportunities available to persons who have no formal identification, in the form of a social insurance card, which is a prerequisite for employment in the formal economy.

Press reports on illegal migrants are on two predominant issues. First, that employers exploit and abuse illegal migrants because they have no status. Furthermore, it is often argued that the availability of illegal migrants depresses local wages. Second, it is said that illegal migrants take jobs away from natives. This chapter questions these assumptions.

These questions are examined against the backdrop of the immigration legislation governing the employment of migrants in Canada. In this vein, questions dealing with the extent of the employers knowledge that he or she is hiring an illegal migrant are addressed as well as the extent of an employer's accountability to the government when he or she hires an illegal migrant. Are the sanctions against employers severe enough to deter them from hiring illegals and do they outweigh the benefits to be gained from the employment of such employees. Ultimately, the question which is implicitly addressed is whether or not

governments intentionally decide not to enforce the letter of the law with respect to the hiring of illegal migrants.

Section I

Magnitude of the Informal Economy

A. Size of the Informal Economy

Relying on a published study (1980) in the province of Quebec, the estimate of the number of illegal migrants in Quebec is placed between 5,000 to 10,000. Although, this may be a conservative estimate it is one of the few estimates available because as was previously noted, it is exceedingly difficult to obtain fairly accurate estimates on the numbers of illegals.

For more accurate estimates of the extent of the underground economy, assessments have been made through the measurement of the amount of economic activity involving the exchange of money, but which is not recorded by tax or in the GNP accounting (Ross & Usher, 1986). A popular method is to estimate how much the use of cash has increased relative to GNP and bank deposits. The reasoning is that, since cash is the primary method of payment within the underground economy, an abnormal increase in its use is taken as a measure of its growth. Ross & Usher provide a Canadian estimate of the value of underground activity to have been between ten and fifteen per cent of the GNP in 1981. This they estimate is equivalent to between \$33 and \$49 billion. In addition, the authors conclude that this level of activity may be supporting as many as 150,000 full time jobs.

On a more global and international level, Castles (1993, 5), has estimated some 25-30 million of the approximate 80 million recent immigrants as foreign workers (legal and illegal). They are believed to remit over \$67 billion annually to their homelands. If these figures are accurate it would place labour as the second most valuable commodity (next to oil) in world trade.

B. Cheryl's (No.1) story

I have already reviewed, labour market theories and definitions of the informal economy. At this point, I rely on Cheryl's story of her experiences with survival strategies and her employment record, to introduce the issues which will be raised in the analysis of the labour market experience of all of the interviewees. This allows us to hear the voice of one particular migrant, understand her trials and tribulations and gain an understanding of her strategies and her agenda.

Cheryl worked as soon as she arrived. "I got here in September 1983 and I was working in September 1983." She described her first labour market experience "I went in (for a job interview as a housekeeper) and we chatted for awhile and she did not ask me for any references or for a social insurance number. She just asked me when I could start. The interview was on Friday so I told her I could start on the Monday". So I did. The interviewee was a live-in and she was receiving \$125 per week. She liked her job and she liked the couple but they were aged and were going away for the winter and needed someone to accompany

them down South. She could not follow because she had no immigration documents.

The next job she obtained was as a nanny, also live-in. Cheryl, says "I was to do housekeeping and take care of the two younger children (aged 9 months and 4 years). The older one was in school. I did the housekeeping except the laundry and cooking. My day off was on Sundays. I was paid \$135 per week". After 8 months with the same household Cheryl says "I just could not adjust to having a day off only on Sunday and I also had too much work. I had to take care of the kids and the housekeeping. The younger child was very troublesome. The mother was not working she was home but she did not watch him at all. She did not get involved. I had to do the housekeeping while he slept and he did not sleep for long. If he awoke during the night I had to go to him. If he or the other children were sick I had to get up and stay with them. The mother slept".

Cheryl, left this job even though she did not have another job lined up. She was still living with a friend and within a month's time she was able to get herself day work as a housekeeper, three days a week at \$35 per day. Cheryl says that her employer "never asked me about my status or for a social insurance number. She just paid me for the days I did in cash. That was the way it was done". Cheryl worked for six months at this house and she was satisfied and happy with the job. However, one day much to her dismay she had to abandon her job without any notice or word to the lady. She says "I do not do things like that. Even today, when I think about it I still feel very, very bad". Cheryl, recounted how she had had to flee her friend's house in the middle of the night because she wanted to get as far away

from her friend as possible. "I did not want him to find me. So I had to just leave my job too because he knew where I worked. I was without work for one week but I got a job in the second week, that was in November 1985".

Cheryl, had placed an ad in a local paper and through that ad she had managed to find three days work with one lady and one day with another. She says she was paid \$160 for the three days and \$40 for the one day. She got another day through a friend of one of the lady's. The woman for whom she worked for three days had asked her if she would like to help her daughter out and babysit her children for two hours every night. She explains "I was to stay with the children from six to eight every night, five nights a week. But I always stayed more like three hours a night. I was paid \$40 per week for five nights work at three hours a night. I was spending fifteen hours per week for \$40. Can you believe what they were paying me?".

Eventually, she just stopped working for the mother during the day as her daughter needed someone badly and started to work for the daughter 4 days a week at \$190 per week. Cheryl, angrily and tearfully describes how she gave this family seven years of her life. Cheryl, says "she knew I was illegal. The first time her husband was going to pay me he started to make out a cheque and I told him that I did not want a cheque. He did not ask any questions. He just gave me the cash money. This was at the time I was doing the babysitting. They think I am stupid but I knew they wanted to pay me by cheque so they could put it through the company. But I am sure he figured it out that I was not legal. Then I told him I was not legal."

When asked when she disclosed this information "it was about six months later. I had to tell them because I was very frightened and I was very nervous. Every time I walked in the house I never knew what to expect. I always wondered if they would confront me about it and I did not know what to do or say. I prepared myself and I told myself that I would tell them the truth and they would either fire me or they would help me out. They did not fire me but they did not help me out either. I asked her (the wife) if she could sponsor me. This was in 1988. She told me she would speak to her husband and let me know. Her husband asked me to get information on what they should do and it was at that time that I contacted a lawyer in order to get the infirmation. I got the information to him but he did nothing with it. They lingered and I waited for them to get back to me. One year passed and you know I am not the kind of person who likes to bother people and nag so I just waited for a whole year. But a whole year went by and they did nothing at all. The second year I asked the wife again. She said we are going on holidays. when we return we will take care of it. They returned this was in 1989 and still she said nothing."

"In 1990 I asked for a raise. I told her my rent had gone up and that I needed a raise. I asked her for \$200 per week for the four days. She said that her husband can not deduct taxes because I do not have a social insurance number so it makes it more difficult for her to give me a raise. But at that time my son was with me in Montreal. He came as a visitor and he was taking a correspondence course. I was paying for his tuition fees which was \$50 per month so what she offered to do was to give me a \$50 monthly cheque for my son's tuition and give me \$150 cash. She thinks I am stupid. But I am not. This was a way for them to put

this through the company. When the course finished in 1991, she gave me \$200 cash. I was still doing another day at \$40. Then I left them in August 1992."

"I left because I was just so upset that they would not help me and they would not even tell me that they would not help me. They thought I was stupid. They just kept saying they would do something about it later and they never did. So I just left".

"Then I found myself another job in September 1992 and that is the job I am still working at today". Cheryl explains "I was to work for three days a week with her. She asked me how much I wanted (to get paid). I was very surprised that she would ask me that. Usually they just tell you how much they will be paying you. I looked around the house and I told her \$60 per day. She said she would pay me \$200 per week and make it a round figure. I also work two other days at \$45 each day."

"This lady is just so good to me. It is incredible. I thank God every day for this job. In all other places I worked I did not get any sick days or holidays. She paid me holidays from the start. I started to work for her on a Tuesday because the Monday was Labour Day and that week she paid me for the holiday. I also get two weeks paid holiday every year. I was sick with an ear problem and she paid me for the days I was off sick".

"What I want people to know is that between 1984 and 1988 I was living in hell. I was afraid to open the door. If I see a policeman I am afraid. Anything I am afraid. I do not

socialize. I do not talk to anyone. I am by myself. I do not tell anyone my situation. Those that know, know. I get a lot of tension and very bad headaches. I will tell you how afraid I am. One day I was on the bus and there was an accident. The bus driver scraped a door of a car and the bus had to stop and wait for the police. Girl, I ran out of the bus so quickly, out of fear. I feared the police when they came would ask me for my identification and they would know and I would be arrested. I do not encourage anyone to be in this situation. It is really hell you know."

"I have no future back home. Home is misery. I cannot take care of myself back home. Here, as bad as things get I can always get one or two days work that will give me enough money to buy food. At home there is no such thing as working days and there are no jobs back home. I will never make the money I am making now even though I am well educated. I could not find a job in an office or in a bank. To go back home I would have to start from scratch and I would not be able to maintain myself."

Cheryl's story illustrates the following points which are common among most of the interviewees:

- 1) most migrants obtain employment soon after arrival in Montreal;
- 2) employers tend not to ask for references or for job references and it is understood that the migrant will be paid in cash;
- 3) migrants are forced to leave jobs because of their state of illegality or are prevented from advancing because they have no papers;

- 4) migrants leave jobs because they can no longer endure the conditions of work or because they are disappointed that the employer will not help them regularize their status in Canada;
- 5) migrants rely on supplementary income from second jobs, which they do not really refer to as jobs or income generating sources but could be characterized as such;
- 6) employers are hesitant to increase the salaries of migrants after the migrant has reached a certain level;
- 7) informal economies and employers are dependent on illegals, for example Cheryl's role as primary caretaker frees the mother of the child to engage in work that is financially remunerated.

Cheryl's story is the story of a female illegal migrant but it does not depict the female condition alone it represents issues faced by all migrants regardless of sex. The only difference is that her experience occurs in the domestic sector the sector of employment occupied primarily by women.

C. Sectors of Employment

As was pointed out in the literature review certain sectors of the economy have traditionally relied heavily on illegal migrants, namely the construction industry and agriculture. Despite technological advances in farming industrialised market economies continue to require foreign labour for seasonal employment.

A Quebec documentary on migrant farm labour entitled "Aller-Retour" produced by Garry Bertel (1994) documents the reliance of Quebec farmers on seasonal labour. The employer, speaking of the benefits of such labour says "on peut se servir n'importe quand. La main d'oeuvre locale ne veut pas se déplacer la fin de semaine. Il n'y a pas de question". Such labour is needed because the locals will not do this kind of work. Employers spoke of the necessity of this kind of labour in order to remain competitive in the international lettuce trade. He said, they need employees to work long hours day after day. The competition, he said, is linked to the availability of this work force. They are paid \$6 per hour and have to work about 90 hours a week. The locals do not want this kind of work they want a better job, less hours, not such hard work, or work that does not require them to work through the heat and rain. Local youths interviewed said that the Mexicans would work Sundays but they would not: "nous autres ça marche pas comme ça".

Only one of the interviewees reported being employed in farm work. However, the issues raised by the commentaries on farm work are reported as they are relevant in explaining the reasons why employers continue to hire illegal migrant workers and the reasons why the interviewees, like all other migrants, continue to come in and continue to find employment despite high unemployment rates.

Castles (1993:77) has argued that migration in the global economy has been marked by: 1) the erosion of traditional skilled manual occupations in developed countries; 2) the expansion of the service sector with demand for high and low skilled labour; 3) the

casualisation of employment, most notably the increased trend towards part-time and contract work resulting in reduced job security; 4) the growth in informal economies and 5) increased differentiation of the labour force by gender, age, race and ethnicity. According to Castles (1993:179) these changes characterized global cities and "often coincide with high unemployment of citizens and resident aliens, who are disproportionately likely to be minorities". This ensures that migrant workers continue to find employment in the expanding service sectors and in industries "characterized by sweatshops or extremely poorly paid labour, to understanding future patterns of international migration".

The interviewees serve much the same function as the Mexican farm labour for the local economy. It was found that the interviewees were employed in a variety of economic sectors, as appears from Table 13.

The findings point to very clear differentiation of employment pattern by gender. More particularly, it was found that nine out of the total ten female interviewees found their first job in the household sector, that is, in private homes as domestics or baby sitters or both (live-in). This compares to only one out of the total ten male interviewees who were employed in the household sector taking care of a senior citizen. This particular subject was employed in a brother-in-law's small construction company doing small home construction jobs. However, eight of the male interviewees were employed in the public sector compared to only one female interviewee who was employed in this sector. The public sector encompassed such places of work as: telemarketing in offices; factory work; modelling and sales.

There are clear and unmistakable labour market divisions along gender lines. A possible explanation for this phenomenon could perhaps be attributed to women's lack of skills or experience to undertake other kinds of employment. However, it was found that the male interviewees were generally not skilled nor did they have previous experience in the field in which they obtained Canadian employment. A more appropriate explanation may lie in perceptions of women's traditional roles as caretakers and housewives. As one migrant woman (No.4) says,

"the work I am doing now (seniors home) is the same as what I was doing taking care of my grandmother. It's very easy work for me. You have to deal with these old people like you are dealing with five or seven year olds. You have to feed them, you have to do everything. They do not even know how to sit on a chair. I am used to their characters, and I know already what they like, so it's like dancing. At least your mind is busy."

This is what differentiates the kind of employment performed by women as compared to men. Women are sought to work in the home to do work that is "invisible". Thus justifying the fact that they do not have to be paid very high salaries. In addition, as was argued by Arat-Koc (1986,85) "economically, domestic labour is invisible because it is not part of the capitalist production which utilizes wage labour to produce commodities for the market". Men, on the other hand, participate in the market economy, they do not engage in domestic labour and this is one of the major differences which characterizes the employment experiences of men and women.

Notwithstanding, the above, the interviewees reported that they accept whatever job they can get and that also explains the relative ease with which women find employment in the private sphere - there is a shortage of Canadian women who will do this kind of work.

One interviewee aptly captures this sentiment, when she says (No.5).

"we are not taking jobs away from native Canadians ... the Canadian people that I have seen and I have known, they do not want the jobs we do. I don't see us taking anything from anyone. They wouldn't want to do house cleaning. Most of the people I do house cleaning for are Canadians. Canadians don't want to do house cleaning and babysitting and things like that. I don't see how we are taking jobs from them".

Paradoxically when asked if she had her papers would she still do house cleaning she says,

"No I wouldn't do house cleaning".

This same interviewee explains the reasons why migrants accept employment in such varied sectors.

"my biggest problem is not having a work permit. When I get a work permit, there are still things that I still could not get. I am not talking money, I am talking about work ...

Table 13

Interviewees Sectors of Employment by Order
Of Jobs Held and by Gender

Subject	First	Second	Third	Fourth
1 (F)	Seniors*	Children*	Domestic	Domestic
2 (M)	Factory	Painter	Construct'n	Farm work
3 (M)	Telemarket	Telemarket	Telemarket	Telemarket ³
4 (F)	Seniors*	Senior	-----	-----
5 (F)	Bakery	Domestic	Babysit	-----
6 (F)	Domestic	Domestic	-----	-----
7 (F)	Domestic	Seniors*	Factory	-----
8 (M)	Car Sales	Self-employ	-----	-----
9 (F)	Domestic	Domestic ⁴	-----	-----
10 (F)	Children*	Children*	Senior	-----
11 (M)	Seniors	Senior	-----	-----
12 (M)	Construct'n	Carpenter	Painting	Factory
13 (F)	Seniors*	Senior*	Domestic	-----
14 (M)	Factory	-----	-----	-----
15 (M)	Restaurant	Restaurant	-----	-----
16 (M)	Restaurant	Restaurant	Restaurant	Restaurant
17 (F)	Children	Restaurant	Children	-----
18 (F)	Children*	Seniors*	Children*	-----
19 (M)	Factory	Factory	Factory	Factory
20 (M)	Factory	-----	-----	-----

Seniors - caregiver for senior citizens either in a private home or a group home.

* means that the person is a live-in

³ Interviewee does telemarketing work during the day and models in the evening.

⁴ Interviewee cleans homes during the day and in the evening cleans an office as a part-time job (4 hours per night, five nights a week)

If you are just with a work permit, there are doors that are closed. You can not get in there until you are a resident. Yes, if I had a working permit I would be working. I would definitely work, but it would be a matter of taking what you can get, not making a choice".

This passage raises yet another issue, the differentiation between migrants who 1) have a work permit, 2) those that do not and 3) migrants who have obtained their landing. More generally, there is a major difference between those individuals who "have papers" and those that are awaiting status determination and have temporary work permits or social insurance numbers that begin with a "9". These two categories of persons differ from the interviewee because she is illegal and falls in neither of these categories. Essentially, the interviewee is reporting that being without a work permit is the lowest one can get in the rung of the informal economy. It is relevant to point out that this particular migrant had originally made a refugee claim and therefore had a temporary work permit which was later taken away from her when she became illegal.

Employment in the informal sector affects a wide range of occupations. Furthermore, it exists in all sectors of the economy whether private, public or semi public. A feature of employment in the informal economy which was raised in our discussion on networks and was also raised in this chapter, pointed to the widening use of informal employment through agencies or resource persons in the city who are paid a fee for their placement services.

One male interviewee (No.2) illustrated this point of view in the following terms

"(illegals) work through different agencies. I have some cards (business) of people and some names of agencies. Some are working with an employment agency in Montreal, others are working with some immigrant assistance centres.

The card is from an immigrant center but it is really a guise. What they do is find jobs. The agency is run by immigrants. They find you a job and you give them what you want. There is no fee you just give them what you can.

Others work with a painting company that hires many illegals to work for them. They do not pay very well. They pay you about five dollars an hour. They pay cash though.

Others work for this guy named Regis⁴⁰. In the winter he gets men to do snow removal and in the summer he needs people to cut grass.

Yet others, find jobs through this man, Carlos. This one is mostly for women. It is factory work that he can find for you. The way it works with him is that you pay him nineteen dollars to fill out an application and then if he gets you a job you must pay him fifty dollars. If you want another job and he gets it for you. You must pay him another fifty dollars.

People are in a desperate situation because you need money to live so you will do anything."

D. Level of training

With regard to their occupational status the interviewees, were found to have little in the way of occupational skills or previous experience in their occupational categories.

Some of the interviewees reported having skills in the following areas: sewing and/or seamstress; handicrafts, teacher; construction, mechanics, hairdresser, and entertainer. However, all except two of the male interviewees reported that they had in fact secured employment in their areas of skills. One interviewee (No.2) obtained work in the construction industry but only for a period of time and the second interviewee (No.15), has been fortunate to have only worked in his area of expertise; as a mechanic.

In general the interviewees worked in any kind of job regardless of whether they may have skills that they can not use for the jobs they are able to obtain. One interviewee (No.10) reported:

"I do handicrafts, I sew. My job does not require special skills. But, I have special responsibilities like giving medication. They showed me how".

In addition, the migrants repeatedly refer to the fact that they must take the jobs they can get. The philosophy that they are lucky to just have a job underlies much of the migrants statements. None of the migrants, except one male (No.2), did not display any indication that they may have been dissatisfied by the fact that they were unable to find work in an area for which they are skilled.

E. Remuneration

There is a widespread impression propagated by press reports, that migrants employed in the informal economy are exploited, because it is believed that illegal migrants are paid considerably less than the wages they would have received if they were working legally.

De Grazia (1984, 50) reported that this phenomenon was very pronounced in the past but is not very prevalent in more recent years. The information gathered from the interviewees suggests that they are being paid less than other migrants who have a work permit or are legal migrants and less than natives who would do the same job for more pay.

Interview data supported the view that generally, illegal migrants are being paid less than migrants who have a work permit and immigrants. One female interviewee (No.10) explains,

"I am not a 100% happy with my salary, but it is more or less okay. This job does not have overtime, but I do not have fixed hours. When she hired me (seniors home), she did not tell me any specific hours. She told me the situation.

She told me the job was not from 8:00 to 5:00. The hours are flexible. Usually, I finish around 7:00 o'clock. I work practically twelve hour days. If I do more hours I still get paid the same thing ...

I get no benefits. I don't really

get sick, but if I do get sick and can't go in, it would be deducted from my days off ...

The most important thing about this job is that you have to be there.

She pays me cash money. She paid me \$175 a week. After two months, she increased me to \$180.00 a week. The second time she increased my salary after two months. The second time was three months after the second increase. She increased my salary by \$10 dollars. Right now, I am working for \$220.00 a week ...

Because of my situation I can not ask for more. The work I am doing now, it costs about \$300 a week, but I am not complaining."

It is also, interesting, to note that the interviewee disclosed during our interview that the entire staff at the senior home are all illegal migrants. "we are three people taking care of fifteen elderly people. The other two girls are also in the same situation I am ".

A male interviewee (No. 15) describes how he feels,

"I feel that this situation is very bad for me. It is a waste of time as a worker. If I had my papers I could get a very good job because I have a lot of experience. I had a very good job (well known Montreal French restaurant). Then I lost that job because of immigration.

I still have hopes of getting back in. The owner says that once I have my papers he will hire me again. He told me that he needs a permanent worker.

It is dangerous for them to hire someone without papers and if immigration finds out they will be without a worker again. So they told me to take care of my papers first.

I feel very nervous because I can not do anything even though this is such a great country.

I get paid very little considering how much I could get paid (\$9 to \$12 per hour)."

It was common to find interviewees expressing the view held by a male subject (No.2),

"People know you do not have a work permit and that you need to work so they do not want to pay you much money. You work eight hours a day for very little money. Other times people have you do the work and then they do not want to pay you. You have no contract with them. You have no recourse.

How are you going to get your money? You are illegal. You have no rights and some people take advantage of this situation. This is horrendous but that is the way it is".

Another interviewee (No.13) says,

"I am not really satisfied with my salary but I have no papers so I have to accept it".

Other migrants, although a minority, expressed feelings of great dissatisfaction and exploitation. One interviewee (No.5) expresses her indignation as,

" ... My God, thirty dollars a day to baby sit. I stay there Monday and Tuesday. I stay there from morning at 8:00 until she decides to come home. I have been there until about 10:00

at night ...".

This echoes Cheryl's sentiments. Another migrant, who was not interviewed for this thesis but who is in the same situation as the interviewee says,

"I baby sit for a friend of my son for \$75 a week. She knows I have no papers and I can not be picky. Girl, I tell you, dog is better than you when you don't have your papers".

Yet another migrant (No.17) explains,

"I had an awful weekend. I baby sat for the woman while she went to a Convention and she did not even pay me. Besides sitting with the child I had to clean the mess she made because she is a very dirty person. She came home and told me she could not pay me because she had no money.

I asked her how would you like to work and not get paid?

What it is, is that they know your situation so they take advantage of you and she tells me that I can not talk to her like that.

I need the money so I have to swallow my pride".

One male interviewee (No.16) in the restaurant business says,

"things are really bad. The owners are very bad to the employees. They just tell you to do something. It is an order. You are not given a choice. They tell you, you have to work the weekend or later without

giving you any notice.

Many people have quit. I want to quit too but I don't have a work permit so I can't go very far.

I am not afraid of working. I can find work no problem but I need my work permit.

The owners they treat you really bad. I want to quit too.

Today is my day off and they tell me this morning that they want me to work. They don't ask me they just say you have to work. I tell them I have appointments but they don't care about you.

They are very nice to the clients, they see a girl and they are very nice to her but to the workers they are awful".

"I can not wait to get my work permit so I can leave or ask for more money. Her son pays me and he knows my situation so he

pays me very little. But when I get my work permit I will ask for more money. I can't wait. I am really fed up. These people they know your situation and they take advantage of you" (No.18).

These sentiments abound in the interview data. But on the other hand, some migrants temper their remarks by taking into consideration other factors.

For example one female interviewee (No.17) says

"the jobs I get is what I expected because I am doing something that I am not suppose to do. But the kinds of jobs you come across are either take it or leave it you do not

have a choice you either do babysitting or housework.

You must take one of these two choices. You are already lucky that they are letting you work without your papers because many people do not want to take you without papers. I am not really satisfied with the salary I am receiving but really I have no choice and on top of that I was able to bring my son with me."

She is grateful for whatever job they can get and second, the migrant can bring her small child to the job, which facilitates child care for her. Yet another migrant (No.4) says,

"I must stay at this job because of my situation. I have no choice. Where I work, there is long hours. I know in other places, foster homes and nursing homes, they are paying seven or eight dollars. But here, they are not paying much, and I am working many hours ...

They sometimes take advantage, but that is okay. I have nothing to do, I am free at home. When they need something to sew or to shorten, I bring it at home. I tell them I have a sewing machine, I will do it. I volunteer all that I can do. I make decorations for birthdays and parties".

In general, the interviewees reported that they would have liked to be paid more, more particularly for their salaries to be at par with going rates but this view is tempered by the knowledge that they do not have the same rights because they are illegal. This is not to say, that when faced with conditions which they can not tolerate the migrant will continue to work. As one male migrant (No. 2) put it,

"I had worked for four days. I complained that they had only paid me for three days. They told me that I did not have the right to complain.

Well, I was told that you have no rights you are illegal. We can do what we want. So I took the money for the three days but I did not return to work there".

E. Hours of work and conditions of work

Most sources of information reporting on the conditions of work of illegal migrants have found that illegal migrants work more hours daily and weekly than legal migrants and the number of hours worked is above those set out in labour codes.

It was difficult to obtain precise data on the number of hours worked by the interviewees. However, the case histories are abundant in their references to the long hours worked and the lack of sufficient compensation for the hours worked, as was already illustrated in some of the passages cited in section 3. Comments (No.4) like these are common "I work a lot of hours. Some days, I work 10 to 12 hours a day, and sometimes I work until 11:00 o'clock at night." This is consistent with other findings in the area of women's employment as domestics, most notably Arat-Koc (1986, 85) reported that:

"Domestic labour involves very long working hours. It is work that never ends. Especially for care-givers of young children who have to always be on call, there is no clear boundary between work and leisure. For the live-in domestic servant, the place of work is also the place of leisure. She

does not go to work but wakes up to it. This makes her "leisure" vulnerable to interventions and her her work hours stretchable to 24 hours a day, seven hours a week".

Migrants did speak openly of the disadvantages of working in this situation. One male migrant (No.15) says,

"the disadvantages of working like this are so many. I have no social insurance number. I get paid less than I would if I had a work permit. I get no vacation or sick days. I do not pay taxes but I also do not exist for the government".

A female interviewee (No.7) who is working with a false social insurance number explains the benefits of working in these circumstances,

"the other job (live-in) I was in all the time. I would have to get up 6:45 am for the kids. I would not be able to sleep until about 10:30 pm.

Sometimes during the night, if one of the kids were sick, I would have to get up, even though the parents were home. That would go on four or five nights. Some nights, I would not get any sleep.

If they went to the country I would not be able to go home. I would have to go to the country with them.

This other job (factory) that I am in now, I go in, I do what I have to do, and at 4:30, I am out. I have time to do other things ...

I have sick days. If there is no work,

they can give me unemployment insurance.
I have vacation pay.

With my live-in job, I did not have vacation pay. I have Christmas and all other holidays that I did not get with my live-in".

However, she mentions that,

"some of the things that are going on there (factory), I can't talk about. I can't say anything because I don't want to draw attention to myself, so I keep quiet.

For example, the supervisor gives you a hard time. When you are leaving on Friday evening, at 4:25 he says that they want you to work tomorrow.

Sometimes, I ask why he did not ask earlier. He says that they need me tomorrow and that I have to be there.

I said no a couple of times, and he threatened me, saying that if we value our jobs, we will come in and work when they ask us to. When he says things like that, I say ok, I will work.

I don't want to get fired. If I get fired I will be out of a job. Most of the time I take what they say".

Another interviewee (No.13) explains that she left her live-in job because,

"I had problems with the arrangements. I did not have any time to go out or do anything. I got fed up and I told them that I would be leaving in two days."

Salaries are rarely negotiable. In the introduction Cheryl speaks very openly about how fortunate she was to have found an employer who asked how much she wanted to get

paid. That is truly a rarity and was the only case history which attests to this fact. The more common scenario is expressed in the comments of one interviewee (No.5),

"my salaries have never been negotiable. You have to take what they gave you if you want to live. If you refuse then you do not get the work. You have to work in order to receive some money so you do not have a choice but to accept what they give you".

One migrant (No.8) who worked with false documentation says,

"I wish I could work under my name, not the other name I work under. What I have right now, I wish I could say it is me.

I have to use someone's name...".

The interviewees all reported a preference for being paid in cash. This was fairly easy in the private sector. However, for the male interviewees who worked illegally, this was not so easy. One migrant (No.12) says "They asked me how I would like to get my pay, and I said cash. they give you a cheque but they say cash". Those migrants who do not have a bank account must make other arrangements, one migrant (No.3) says,

"the cheques were made out to my name but these were personal cheques. I signed them and deposited the cheques in my wife's account and then she withdrew the money".

Other migrants, as discussed earlier pay other legal migrants a transaction fee for cashing their cheques or other plans are instituted to maintain the anonymity of the workers. The migrants who work with false social insurance numbers are obviously paid by cheque in the name of

the bearer of the social insurance card, as one migrant (No.7) explains,

"I get paid by cheque in that person's name. I sign the person's name. When she got the card, she did not sign her signature, so she told me I could sign it. She never used it. She just got it and went back home for awhile".

Seven of the twenty subjects worked at one time or other or were working with a false social insurance number at the time of the interview. Only one of the seven interviewees is a female.

On the whole the migrants are able to remain at a given job for extended periods of time. As appears from Table 13, migrants do not go through many, many jobs. Interview data shows that migrants will remain in the same job for years at a time before switching jobs. In fact, Table 13, shows that 85% of the subjects go on to find a second and a third job but there is a sharp drop in the number of subjects who will go on to a fourth or fifth job. More particularly, 30% go on to a fourth job and half of that, 15% go on to a fifth job. The only exceptions were subjects No. 11 and 14. The former remained in the same job and the latter had only one job and was caught working illegally.

G. Moonlighting

None of the sources that I have consulted on illegal migration and the employment of illegal migrants has explored the aspect of moonlighting among illegal migrants. This is understandable as the interviewees themselves often mentioned secondary sources of

employment only in passing and not in relation to work or salary. However, half of the interviewees were engaging in secondary forms of employment to supplement their incomes. Seven out of the ten were females. These activities in which the interviewees moonlighted were quite varied, they included, baby sitting, hair dressing, small business, drugs, home sales, choir singing and photo shots with models or the sale of drinks.

It was interesting that the interviewees mentioned these activities only in passing but did not attribute much economic value to the income received from these activities. This can be compared to the idea of pin money; extra pocket money and introduces the notion of the different values of money which are culturally defined vis a vis financial relationships.

One interviewee (No.3) moonlights in the underground economy of the entertainment industry, the subject derives additional income through informal means. The interviewee says he is paid \$50 per bathing suit show. He and the other men and women model swim suits in local clubs and at times they also do out of town shows. Each show lasts approximately one hour. For extra money the swim suit models sold Peach Schnapps at the bar after the show. He explains (No.3),

"how this works is that the Peach Schnapps are \$2.50 each, and I get .50 cents for each Schnapps we sell. We were each given ten Schnapps on a tray. If we sell them all that would be \$25 and we get to keep \$5 and any tips we receive is additional."

He reported earning five to thirty dollars on an average night and as much as sixty dollars in a good night at a regular club. The selling of Peach Schnapps is added incentive for the

employees.

"Then I started to MC and I was making \$100 cash in Montreal and if we went outside Montreal I got \$125 to \$150 a night. Sometimes I also do tours and these are good because we get to go on tour for two or three nights. For example in the Fall I did a tour of New Brunswick and I got \$150 per night for three nights. Then there is a bonus. We take pictures with the girls and the guests. For each Polaroid shot we get \$10 per shot then we split the profits between the four of us who were on tour. In a three day trip I made \$800 - \$900 cash".

The context in which information on moonlighting activities is revealed is exemplified by this migrant's account. The migrant (No.5) says,

"(illegality) prevents me from singing because there are trips we go on, and I can not go.

I sing for a large well known Montreal Choir. If we do a gig I get paid. It depends. Sometimes, we do a lot of charity stuff which is not paid, and if we do a gig it is paid.

We don't do many gigs. It is more during the Christmas season, things kind of pick up. If we do a gig, I get \$50.00. If we do two shows, and we are being paid \$50.00, it will be \$100.00."

This same individual also makes extra money through the sale of cassettes from the choir but this she never even mentioned during the interview.

Another migrant (No.4) describes her activities as,

"I worked selling things part-time at Regal Preference. I started working at this in 1989. I received an award at that time. I was making about \$300 a week on commissions. I worked for Avon, anything that I could do, I tried."

When asked how she reached people she explains,

"I have the book, I just put it in the mailboxes of my neighbours. I have my telephone number on the book, and they call me ... I call them or they call me that they saw my book, and they give me the page of what they want, and then I make the order".

Other migrants describe how they baby sit on the week ends for extra money yet other describe how they do hair dressing and cut hair for friends and acquaintances and this earns them a little extra cash.

Another migrant (No. 15) described how he had opened up a small lamination business with his brother. They both work from home and make some money but hope to open up a store once the business expands.

The interview data shows that illegal migrants are exposed to the same trends as the native population, that is, they too, will engage in informal activities on a self service basis, as was described by Gershuny (1979). Gershuny has characterized the informal economy as being divided into three categories, namely, the household, the communal and the underground. The activities of the interviewees were performed within the realm of the household and the community. However, one of the interviewees did derive extra income

from the sale of drugs which would be in the realm of the underground.

Section II

Employers, Causes, Effects and Attitudes

A. Motives of the Suppliers of Work

The reasons motivating employers to hire illegal migrants appear to be unquestionably financial in nature. Most employers of illegal migrants do not operate in the underground economy. They are establishments working in the formal economy but drawing on labour emanating from an informal economy. These establishments are not producing illegal goods or services, but rather they organize their activities including record keeping, so as to avoid the payment of taxes by the firm or its workers, or avoid compliance with minimum wage standards, labour codes etc.

Some firms have become quite creative in their ways of achieving this aim. For example, one of the interviewees (No.3) reported that, the company for which he was working (large tele-marketing company) had their employees open their own registered companies and then the company paid the registered company instead, of, the employee. The company treats each individual as though they were doing contract work, when in fact they are salaried employees working on commission. In so doing the firm absolves itself of any responsibility toward the employee because the employee is in reality a company, which is

responsible for itself. The employees who do not wish to open a registered company are paid by a colleague's company. The interviewee describes the transaction as follows,

"the way I am doing it now is that I pay another employee 10% off my salary and the cheque is made out to him".

When asked to elaborate he says,

"you see the way it works is that when the company hires you they have you register a company in your name. So, you are hired and then you go down to the Palais de Justice and you register a company in your name and you pay \$20. So, the company then makes out a cheque to your registered company name and not to our personal name. That way, the company does not need your SIN number. It is like contracting. Basically, the company hires the individual company to do contracting work for them. Since, I do not have a company in my name my cheque is made out to the other guy's company and I give him 10% of whatever I make in case he ever declares it to the government".

Canadian evidence is not as concise or well documented as the historically well organized efforts of US employers to maintain a flow of Mexican and Caribbean agricultural workers. Castles (1993, 73) has reported that "organized labour was highly critical, arguing that domestic workers would be displaced and wages held down". But government policy was predominantly influenced by employers as was seen in the implantation of the Mexican Bracero Programme of the 1940s, wherein the employers organized efforts caused government to permit the legal entry of these temporary workers. Yet, notes Castles (1993, 73), "in other periods recruitment was formally prohibited, but tacitly tolerated, leading to the presence of a large number of illegal workers". As was argued earlier, this is the view, I

believe to be consistent with Canadian politics.

Illegals, of course prefer cash transactions rather than cheques, as the latter leaves a paper trail. Subjects reported that in cases where they had to be paid by cheque certain arrangements had to be made to convert the cheque into cash. They also had to pay a kind of kick back to the person who performed this transaction, as was described above. One subject (No.3) says,

"I told them (the company) that I did not have a SIN number but they said that they would work something out with me. What we did was that they would write out the cheque to me and make it payable to cash. Then I would sign it give it to them to cash and it would be countersigned by the company".

Another male interviewee (No.2), who found his job through an agency stated,

"the way it worked was that the company paid the agency \$9.50 per hour and the company paid me \$5.25 an hour ...

The company paid the agency and the agency made out the cheque in my name. But I could not cash the cheque because I did not have an account with the bank.

I could not open an account because I did not have identification (valid).

What I did was I would pay someone at the agency \$8 and that person would cash the cheque for me. But sometimes I got tired of paying the \$8 to have my cheque cashed so I would try to cash the cheque myself".

It is evident that there are other groups of individuals or employers who stand to make money from assisting the illegal migrant to cash the cheque - which is their salary. Everyone seems to be getting a piece of the pie. This can be a very lucrative business for certain individuals.

A male interviewee (No.2) produced a letter during the interview in which a job offer states,

"at no time does the employer waive his rights to dismiss an employee without just cause".

This is interesting from the point of view that it illustrates the extent to which these employees are considered to be expendable because they represent a cheap labour supply which is easily replaceable.

Alternatively, employers may be ignorant of the status of an employee or even of the requirements of the law. I would also add that perhaps the employers, operating in certain domains, do not ask employees for work permits intentionally. Perhaps because they do not want to know or they may suspect their status so that if they are ever caught by Immigration they can claim ignorance of the law and of the status of their employee. Employers may intentionally not ask questions.

For example, in the course of one interview I learned that the interviewee (No.19), was employed for a period of time using an alias and a social insurance number which he bought. Interestingly enough, the interviewee is from Grenada and he was working with the

social insurance card of a Polish national. It is unthinkable that the employer would not have been alerted to a potential problem just by looking at the person before him or her and the name on the card. It is impossible for a Polish person to be as dark as a Grenadian. Yet, he claims to have worked for years at the same establishment without detection or raising suspicion.

My suspicions were confirmed when the employer contacted me directly to inquire as to when and how the interviewee would be obtaining a work permit claiming that he can not continue to have him use someone else's social insurance number.

In contrast, though, a female factory worker, stated that

"I borrowed a social insurance card, and they told me I could work with that card for the time being.

I did not have to pay for the card. She told me her family is not here right now, and it is a good card so I could use it. My friends's friend gave me the card. She said it was her sister's card".

In this case, the card belongs to someone from the same country and the employer and/or the factory supervisor can not realistically know that the card does not in fact belong to the interviewee. The interviewee must unfortunately use an alias instead of her real name. Yet another male subject (No.12), says

"I do not use my real name. I use someone else's SIN. The card belongs to a French guy. I bought his SIN for \$150. I bought

the card from a friend of a friend."

When asked whether or not any one asked any questions about his colour, nationality and name discrepancy. The subject responded

"No, not really. But Grenada was a French colony at one time so I can explain it. The only thing I was asked was his date of birth, which I know and I gave to the supervisor. I sign the cheques with my signature. I just sign his name".

These are situations most likely to arise when the interviewees want to secure better jobs. That is, interviewees assume that if they have a social insurance number they will have better jobs. It was found that the use of an alias and false social insurance numbers was not very common among the interviewees but it was more common among the male interviewees than among the female interviewees. It was found that three of the male interviewees were working or worked with a false social insurance number compared to only one female interviewee. A possible explanation for this difference may be accounted for by the industries in which the interviewees were employed. Women were more likely to work in the private sphere whereas men in the public and more formal sphere.

Illegal female migrants, who work in the household economy report rarely being asked for a work permit. As we have already seen it is common to be paid cash.

Government reports state that employers who hire domestic workers, are less accessible in terms of normal employer mailings, making it difficult to inform them of the provisions of the Act. They state that larger employers rarely employ illegal workers.

Prosecution of employers has been infrequent in recent years.

Conclusion

Although employers can be fined for hiring illegal migrants, the law is rarely enforced, thus it does not act as a deterrent. However, there are many economic and financial benefits for employers. They can pay lower hourly wages, save on social security contributions, avoid making tax returns and have a flexible work force at their disposal. In this sense, illegal migrants provide flexibility in production, they also permit employers to remain competitive.

Employers, in the household sector or more particularly, in homes, have an added benefit in recruiting illegal migrants as domestics, housekeepers, live-in nannies for children and/or caregivers for seniors. The reliance on illegal migrants who are paid lower wages than Canadians or who are willing to live-in creates an interdependence between the two groups and frees the Canadian to engage in other forms of more productive employment or frees them for leisure activities.

There is little doubt that the illegal migrant will accept lower wages and will work in less than satisfactory working conditions. However, given their lack of legal status and therefore lack of alternatives they content themselves with the fact that at least they have a job that permits them to live in Canada and support their families back home.

Chapter 9Conclusion

The focus of the research was on the migrant. This thesis has essentially described and discussed the flow of what can be termed, illegal labour migration. This is an activity which is of relevance to labour markets but it is difficult to estimate the size of this foreign labour. The examination of the in-depth case studies revealed a clear picture of who is migrating, why they are migrating, why they have decided to come to Montreal and how they find employment.

It is the migrant who is presenting his/her story. The scope of the present research did not permit an examination of the employers who hire these illegal migrants. Nor did the research critically question the motivation of a migrant to come to Canada; to work and live here knowing that they have few if any rights. Yet they come to believe that they should be granted landing in Canada because they are productive members of this society.

In the research reported here it was the migrant's story to tell - it was the migrant's voice which was being heard. This thesis did not address the issue of the cost of illegal migration as this would be inconsistent with the spirit of the present research. The research was aimed at reconstructing the migration experience from the perspective of the migrant. Nevertheless, the author is cognizant of the role of the other factors involved in the process of illegal migration and they are discussed in this closing chapter.

The first factor, which must be examined is, the Canadian government. It seems obvious that the informal economies and the presence of illegals in Montreal in these economies are both supportive and disruptive of capitalism. The question which must be asked is whether governments should play a stronger role and enforce regulations that prosecute employers who hire illegals or whether they have a vested interest maintaining the status quo. In maintaining a law that provides for penalties but which is not enforced it would appear that the government is tacitly approving of their presence in the Canadian labour market.

In addition, it is contended that the Canadian government encourages the migration of women as domestic workers because of its:

"lack of adequate and good quality child care services...

... government put forth the view that policy debates in child care indicate the persistence of a clear preference for privatized solutions.

... the assumption of these legislative debates and proposals is that domestic workers should subsidize the inadequacy of the social child-care system through their underpaid and over-worked conditions"

(Arat-Koc, 1986, 84,98)

The fact that domestics represent a private and individual solution to child care justifies the government's inaction with respect to day care program for children and for senior citizens. Thus the government turns a blind eye to the presence of illegal migrant women working in private homes.

Evidence for this contention can be drawn from data which estimates the number of cash transactions as an indication of the extent of the underground economy. It is doubtful that governments would want to abolish the many jobs that are maintained by the labour market activities of these illegals.

Illegal migration will persist and this for two main reasons. First, I believe that the government is not truly interested in closing the door and eradicating illegal migration. Governments are restricting admission to Canada, to either the very rich and/or the very educated. The government's reduction of family class sponsorship is indicative of the shift towards independent migrants as opposed to a policy of family reunification. These policies only serve to frustrate well intentioned and law abiding migrants who wish to migrate to Canada but are blocked from doing so because of strict immigration controls. These people will likely resort to illegal migration. These people, are the people who will make bogus refugee claims or who will enter Canada as visitors and not leave. People who want to migrate will migrate, whether with the assistance of an agent or through misrepresentation of their intentions. The Canadian government's failure to institute exit controls is an expression of its intent not to eliminate illegal migration. The institution of exit controls would permit the government to have immediate information as to who did and not respect the conditions of their entry into Canada and this would facilitate the process of tracking down the migrants who had overstayed. The fact, that there exist no exit controls means that the migrant is free to remain in Canada unnoticed until he/she is reported to immigration or comes to their attention in one way or the other. It is important to keep in mind that this could take

years to occur or never occur, as was seen from the interview data. Governments benefit from the labour of illegal migrants and governments realize that illegal labour is what maintains many small businesses.

The position which was taken in this thesis is that the government knows of the presence of these supposedly "invisible" illegal migrants but because it benefits from their presence in the ways discussed previously, it has done nothing and will continue not do anything to stem the flow of illegal migration.

Furthermore, illegal migrants are not a burden on government social services as they are not entitled to them thus saving the government money on the provision of programs to this population. In this way governments continue to protect its citizens who are privileged to have gained admission to the country through legally acceptable routes and maintain the status quo with respect to the enforcement of legislation against employers who hire illegal migrants. It would appear that the government will not actively search out illegal migrants. On occasion certain places of employment, like senior citizen homes may be raided and it's employees asked for identification or certain buildings in recognized sectors of the city raided because police suspects that drugs may be involved and the tenants are all asked for identification. In my opinion, these raids occur, to maintain and appearance of enforcement, nothing more. Effective control and enforcement does not appear to be a goal of governments. In fact, Canada Immigration, has numbers posted in it's offices with a telephone number to call and report an illegal. The government is effectively relying on

snitchers to bring illegals to their attention. What would be instructive would be the availability of data on what happens to the migrants who are caught: How many are deported?; How many were caught at their work place yet the employer was not questioned?. The answers to these questions, are beyond the scope of the present research but the expected answers would support the argument which is being made here.

The underground or informal economy (the terms are used interchangeably) was defined in chapter 3. The defining characteristics of the informal economy were identified as the fact that the employment of illegal migrants in this economy are unrecorded, "off the books". In order for the jobs secured by the illegal migrants to be considered employment they had to be regular and remunerated. It was concluded in this chapter that there was a structural demand for illegal migration and that illegal migrants did the jobs that Canadian workers would not perform. Illegal migrants did not take jobs away from Canadians rather they perform the low skill, low wages jobs which Canadians are not interested in occupying.

Labour migration to Montreal from what can be roughly sending countries is rooted in the culture of that country. According to sociological, historical, and anthropological research on labour migration, it is unlikely that there will be a change in the trend of labour migration. Although, there may not be an increase, the "push" factors in the sending country ensures that migration is maintained.

The second major factor accounting for the employment of illegal migrants is the Canadian economy. The economic reasons that led to labour migration originated in the sending country's economic conditions. Nevertheless, there is a real demand in Montreal, for this kind of labour. These migrants compete with other immigrants for jobs in the secondary segment of the labour market. However, employers find it more beneficial to employ an illegal migrant, who has no papers rather than an immigrant, who has papers, and must be paid a minimum wage, be given sick leave holidays and other benefits.

The illegal migrants are dependent on their employers not only for a job but also for their continued stay in the country. These workers have no work permit and no rights because they realize they have no rights they accept the wages given to them, even if they are below minimum, and they accept the conditions of their work - these characteristics make them a docile and flexible labour force.

In addition, the restructuring of the labour market with its increased bifurcation and casualisation of labour lends itself easily to the need for illegal migration. There is an increase in low skill service sector jobs and there is a great demand for employees to perform these low skill, low wage jobs. Canadians do not want to perform these jobs. There is a dependence of informal labour markets on illegal migrants. Some employers, who operate on the fringes or within the formal economy, require illegal labour to stay in business. Private individuals depend on illegal labour for domestic work including: child care and caregivers for senior citizens. Illegal migrants in the informal economy therefore, play a big role in sustaining the

larger economy as a whole. There is an irony here in that typically in order for Canadian women to enter the labour force they are required to hire other women to perform previously unpaid work. Illegal migrants are especially attractive to perform these functions because of their low cost.

Yet a third factor in the migration process is the role of informal networks in Montreal, which act as "pull" factors. These play a particularly strong role in the migratory movement of labour. The case studies provided unmistakably support for the presence and influence of informal networks, especially family networks.

Technological change and innovations have facilitated the rapid exchange of information between the host and the receiving country. Thus the hallmark of the age of migration is its transnational and global character: the way it affects more and more people, envelops more and more countries and the way it links people and social processes, and maintains social relationships.

Transnationalism and global cities will maintain the exchange of information and the embeddedness in social relationships prior to migration and after migration. However, the extent and nature of social relationships change but the message is the same - Canada is a land of opportunity and there are jobs for people who are willing to work. The role of remittances is an area, that needs to be examined further, as these remittances in themselves convey a message of their own. The remittances and the forwarding of goods to the homeland are an

indication of the success which is obtained in the receiving country.

These three factors act: the Canadian government, the Canadian economy and informal networks, act independently of each other yet influence each other and act upon the migrant in his/her securing of employment and in the strategies which the migrant will use to attempt to legalize his/her status in Canada. The most illuminating finding of this research, is the persistence by which the individuals seek permanent status in Canada and the methods they employ to attain this objective.

In closing, it seems appropriate to highlight some of the findings of this study. A finding which is contrary to previously established findings in the area of labour migration is the permanent character of the migration stream of the interviewees. This may perhaps be explained in terms of the distance between Canada and the sending countries - a distance which would not make repeated trips across the border a feasible option. In addition, immigration legislation in many cases would require the migrant to obtain a visa before re-entering Canada and the uncertainty associated with obtaining the visa and the cost to obtain false documents make visits to the homeland unrealistic. Migrants expressed the desire to visit their families immediately after obtaining their papers.

Another finding which was somewhat surprising was the high representation of women as migrant workers. Although labour migration has traditionally been undertaken by men, women in this study were found to be as likely to initiate migration

as men. The experiences of both men and women were described in a non-gendered manner.

The migration experience of both genders was comparable on with respect to strategies used to come to Canada as well as with respect to the methods used by subjects to secure jobs and the degree and extent of their reliance on a resource person.

Differences between genders were observed in the kinds of strategies used to remain in Canada legally. Women were less likely to make a refugee claim as a strategy of first choice and most likely to attempt to obtain landing through a job offer. Whereas men were more likely to obtain landing through sponsorship by a spouse, although neither the men nor the women who used this route did so as a first choice. The male interviewees were more likely to make a refugee claim and rarely did they use a job offer as a route to possibly obtaining landing in Canada. These differences are linked to the sectors of employment in the informal labour market which accommodates the migrants. Women were found to be employed almost exclusively in the household economy compared to men who obtained more varied employment in sectors outside of the household economy. Women remained invisible, working within the confines of a private home whereas men were more visible working in a number of areas such as: restaurants, construction, factories. Men also reported frequently being asked for a work permit compared to women who reported rarely being asked for a work permit. These differences can perhaps account for the reason why, men are more likely to make a refugee claim. It is my impression that because men work in more visible sectors of the economy they have a more urgent need to become legal - to have a legal status.

Refugee status is a route which can provide the migrant, despite the fact that he/she may be an economic migrant, with a temporary legal status - with an authorization to work and with a medicare card. The albeit temporary nature of this legal status gives the male migrant an opportunity to socialize and to be "normal", so to speak, to come out of hiding and this gives them additional exposure. It enables the migrant to be free to be in contact with the people and in this in turn, may explained the greater tendency for men to marry and be sponsored by their spouses (who are either Canadians or permanent residents of Canada). The sheltered lives led by women working in homes and the fear of being discovered ensure that women have fewer contacts.

The vulnerability expressed by both genders was also different. Women had concerns which were not comparable to men. Women feared entering into a marriage of convenience for fear of being forced into fulfilling marital obligations. Women also repeatedly spoke of being underpaid and taken advantage of by their employers. Men did express concerns but not of the same magnitude nor the same frequency as the women in the sample. In short, the migration experience for men and women is not comparable.

Despite all of the disadvantages to being illegal and outside the formal labour market, the migrants were not deterred and they continued to work and support themselves and their families. The migrant's goal became a desire to be a Canadian and a hope that all their work in Canada will be positively viewed by a government that officially discourages illegal migration yet has in the past enacted legislation which regularized the status of the illegal

migrants in Canada.

This study did not examine the quality of the information transmitted to migrants in their home country by their friends, families and kin in Montreal. However, it was clear from the interviews that the subjects were disappointed with the conditions of employment and the life they were leading in Canada. It would appear that they expected a better life - they did not expect to be leading a life of fear; of constantly looking over one's shoulder. It is hypothesized that they are disappointed because they were misinformed. Future research might examine the quality of the information which is received by migrants and what impact this information has on the decision to leave and the expectations which are formed.

This thesis has undertaken an historical and macro analysis of immigration policies and the underground economy and combined this with detailed ethnographic (micro) data on the lives of individuals who have migrated and work illegally in Canada, specifically Montreal. It has described what it is like to be illegal and the strategies used to survive and this is the strength of this study. The narrative "voices" of individuals who live in these circumstances represents an important and original contribution to the literature.

Among the questions addressed in this thesis are the nature of illegal migrant women's employment and the role of networks in securing jobs for women:

- 1.- Are the networks of females different or similar to that of their male counterparts?; and

- 2.- Do women generate income in the same manner as that of men?

Conclusion

In this chapter I have drawn on the research literature to refine the conceptual tools needed for understanding the survival strategies of illegal migrants. Of particular importance are the role of networks and the strategies illegal migrants employ in using these networks in order to survive and find employment. Finally, I have examined the possibility of gender differences in these strategies and outcomes.

Endnotes

1. Please refer to the glossary for definition
2. Please refer to the glossary for definition.

Chapter 2

3. For a detailed review please refer to Report on the Demographic Situation in Canada, 1991 "Overview of the Principal World Migratory Flows Since World War II".

4. This refers to persons who hold student or employment authorizations, Minister's permits or who are refugee claimants. Prior to the 1991 permanent residents of Canada were included in the Census.

5. Under this new program there were two stages for new claims.

The first stage, consisted of the minimum credibility. If claims were judged to have a minimum credibility they would then proceed to the second stage - a full hearing. At this point they were eligible to apply for a work permit.

The rationale was that if claimants would have work permits at the very beginning and were later refused at the minimum credibility hearing (which was to have occurred shortly after having deposited the claim) then they would have documents which would allow them to continue to work legally in Canada.

After minimum credibility had been determined it was assumed they would have a longer waiting period and were therefore eligible for a work permit.

For a brief period of time in early 1993, the Conservative Government temporarily refused all refugee claimants a work permit until such time as there was a positive determination of the claim. This was a short lived measure.

6. This also reduces the governments costs with respect to the provision of legal services for the claimants. Services paid for by the provinces legal aid plans.

7. A considerable number of in-land refugee claimants do not have proper identification. It is most often the case that they board the plane with an "agent" who assists them in their trajectory to Canada and supplies them with false documents. The agent then repossess the documents and the individual makes an in-land claim and has no proper identification or travel documents.

8. The argument which is relevant for purposes of this discussion is listed below.

Manpower and Immigration

(October 1966) Canadian Immigration Policy: White Paper on Immigration, Ottawa, Canada.

The said paper enunciated the principle of universal applicability of the law, as appears from this passage:

"It should be said, as a matter of principle, that the answers (to the questions of who should be permanently admissible and the selection procedures to be used) must involve no discrimination by reason of race, colour or religion, and consequently that they must be universally applicable" p.6

9. For a detailed review of the Green Paper see

Freda Hawkins,

(1972) Canada and Immigration: Public Policy and Public Concern, Montreal and London: McGill-Queen's University Press.

Hawkins, Freda,

(1989) Critical Years in immigration: Canada and Australia Compared, Montreal: McGill Queen's University Press,

10. This is an age old myth of immigration which has persisted into the 19th century, this argument is more full developed by E. Annie Proulx in Accordian Crimes.

Chapter 3

11. This definition and characterization was adopted from the report entitled, Illegal Immigrants, made to the Minister of Employment and Immigration Canada by the Canada Employment and Immigration Advisory Council, November 1982, at page 2.

12. Simon, Joel

(April 30 1994) Latin lament: Adios to the American Dream, Globe and Mail.

13. AFP

(1988, date unknown) "Trinidadians fleeing battered economy aren't refugees: Canada", The Gazette.

14. Friedman, Josh & Destefano, Anthony

(June 12 1994) "Million People smuggled to West in year", The Gazette.

15. Canadian Press,
(April 17 1994) "RCMP take to the air to stem illegal immigration", The Gazette.
16. An example of such press reports is an article by:
Farrell, Christopher
(July 5, 1993) "Shut Out Immigrants and Trade May Suffer",
Business Week.
17. An example of the desirability of persons with a required labour market skill was seen in the case of Portuguese refugee claimants in Toronto. This case was explained by, Kaihla Paula, in "Passage to Portugal: Bogus refugees get help to return to Canada", Maclean's, January 8 1990.
18. These costs are more often associated with illegal migrants in the United States. In Canada, children of illegal migrants can not attend school without proper immigration documents. However, it is the case that persons who claimed refugee status and their dependents will continue to enjoy an education and welfare benefits until they are discovered by immigration. This is especially true of education - as immigration documents are only requested at the time of registration.
- Other costs can be borne by society because the illegal migrant may borrow social insurance or medicare cards. In addition, while on refugee status the migrant benefits from social benefits. In cases of marriages of convenience other benefits may be obtained.
- Chapter 4
19. Unofficial conversation with an immigration officer in Montreal. Transcription from an inquiry with an illegal migrant. Unrecorded.
20. An article in the Gazette, Cornacchia, Cheryl (April 25, 1994) discusses a recent film that describes how brown women are ideal caregivers for blond babies. She says,
"Caring for babies not their own: Immigrant women leave their own children behind in search of the <good life>",
Gazette, citing Marie Boti, co-producer of the 1991 Multi-Monde video, Brown Women, Blond Babies.
21. Zolberg, Aristide R.,
(1992) "International Migrants and Refugees in Historical

Perspective", Refugees, December issue, 37-43

22. Castles, Stephen
(1986) "The guest worker in Western Europe. An Obituary",
International Migration Review, 20, 1986.
23. Smith, Charles D.
(1986) Repression and Exile: A Study of Latin American Refugees
Conseil québécois de la recherche sociale.
24. A term coined by Monica Boyd (1994) in a paper presented at a
conference, entitled, Gender Concealed, Gender Revealed
25. Quoting Hart (1991) Sanchez Eramis Bueno (1993)
"Population and Informality", paper presented at the International
Population Conference, in Montreal, Aug.- Sept. 1993, section 25,
vol. 2, quoting Hart (1991) pg. 434.

Chapter 5

33. The number of years which a person was in Canada illegally as
computed from the time the individual's visitor's visa had expired
and was not renewed or from the time that the individual's legal
status in Canada expired.

In the case where an individual may have claimed refugee
status in Canada and was later refused. The period of illegality
was computed from the time at which that person was required to
depart Canada and failed to do so, at which time he/she became
illegal.

Thus the years of illegality were not computed as a straight
forward subtraction from the time of the interview to the date of
arrival.

34. The subject was married prior to arrival in Canada but neither
he nor his wife declared themselves as married at the point of
entry. This is sometimes done by migrants who believe that they are
able to double their chances if they declare themselves as single
and see which one of the two will get through faster. This is not
a strategy which is explicitly explored in this thesis. These false
declarations are rarely detected by immigration officials at the
point of entry. After all no one has ever had to show documents
proving their marital status.

35. Formal means refers to obtaining jobs through a newspaper or an
employment agency for example.

Personal contact or informal means refers to persons who secure jobs through word of mouth or referrals from friends of friends or family etc.

Direct application refers to individuals who will present themselves at a place of business and inquire whether or not there are any jobs available and fill out an application.

Chapter 7

36. Private employment agencies are used to differentiate them from public employment agencies which would be Manpower offices. The illegal migrant can not go to public employment agencies as he/she does not have legal status or a legal work permit.

37. The agencies through which the migrants locate jobs are not specific to illegal migrants rather they are open to the general population. However, as will be illustrated in the case histories which follow, some of the agencies are non governmental agencies which work with new arrivals assisting them in the adaptation process and they also act as job referral agencies. Other agencies are legitimate employment agencies that work with the general population and target groups like unemployment and welfare recipients and illegals - all groups that have a preference for cash transactions. Moreover, these agencies are all legal but they do not publicize the cash transaction branch of the enterprise.

38. This refers shows which are like magician shows where the person juggles or manoeuvres torches or other lit objects for entertainment purposes.

39. The subject has been in Canada since 1986. However, as she applied for Convention refugee status she was able to obtain a social insurance number which was never taken from her. The subject was refused as a refugee in 1990 and her work permit expired in January 1993. She continues to use her temporary SIN and files tax returns even though she is illegal. This is an example of someone who is illegal in the eyes of immigration but who is not hiding from immigration or any other governmental institution. She is respecting all the laws. Her employer is the only one who knows that her work permit expired but he continues to employ her.

Chapter 8

40. All names are pseudo names

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APPENDIX A

REFERENCE:

IDENTIFICATION

- 1.- Family Name _____ Given name _____
- 2.- Male []
Female []
- 3.- Date of birth _____
 day month year
- 4.- Place of birth _____
- 5.- Country of birth _____
- 6.- Date of first arrival in Canada _____

Background information

7.-

A.- Present Marital Status:

- Married []
Common Law []
Separated []
Divorced []
Widowed []
Never Married []

If presently married, Date of Marriage: _____

Where is your spouse presently:

Status in Canada of your spouse: _____

Were you sponsored by your spouse in Canada yes [] no []

If presently Separated or divorced, date of separation or divorce _____.

B.- Marital Status upon arrival in Canada

- Married []
Common Law []
Separated []
Divorced []
Widowed []
New Married []

If married at time of departure from country of origin, Date of Marriage: _____

Where is your spouse presently: _____

Did your spouse travel to Canada with you? yes [] no []

If not, when did he/she join you? _____

Present status in Canada of your spouse: _____

If presently Separated or divorced, date of separation or divorce _____ .

Is your spouse still in Canada? _____

8.- How many children do you have? _____

- . how old are you children _____

- . where are your children presently _____

- . are any of your children Canadian born

yes [] no []

If no go directly to question no.3

- . did you think that having Canadian born children would increase your chances of obtaining permanent residence in Canada?

- . if so, why?

9.- Did you make a refugee claim in Canada yes [] no []

If so when (what date) _____

Was there a determination made in your claim? yes [] no []

if so when (what date) _____

Did you make an appeal of that decision yes [] no []

Was there a decision rendered in your appeal case

yes [] no []

Were you given a date of departure or deportation from Canada, and if so when _____

10.- Have any of your relatives ever requested refugee status in Canada

A.- In Canada? yes [] no []

If you answered yes to any of the above, please complete the following:

Relationship	Date of request DD/MM/YY	Where	Result
--------------	-----------------------------	-------	--------

11.- Do you have other relatives or family in Canada ...

yes [] no []

If yes, how many _____

A. What is the status of your relatives in Canada?

12.- State the number of years of formal education you have had:

_____ years.

Interview Schedule

13.- Reason for departure from homeland

14.- Decision to leave who's was it?

- A.- individuals' _____
- B.- spouse's _____
if so was it your husband's _____
was it your wife's _____
- C.- couple's joint decision _____
- D.- family _____

15.- Did you leave your country alone?

Yes _____

No _____

With whom did you leave with?

25.- Do you presently have a valid work permit yes [] no []

 If yes when did you obtain it and how?

26.- Did you ever obtain a work permit in Canada yes [] no []

 When did you obtain it and how?

 When did it/does it expire _____

27.- Have you ever worked in Canada yes [] no []

 If yes, what is your work history:

From Month/year	To month/year	Name of Company/employer	type of work
--------------------	------------------	--------------------------	--------------

28.- Did you work in your country of origin yes [] no []

 If yes for how long? _____

 What kind of work were you doing? _____

29.- When did you first find a job in Canada?

30.- How did you find work in Montreal

 A.- Upon arrival _____

 B.- After you left your first job? _____

 C.- After your work permit expired? _____

31.- How long were you employed at Pt A:

 What days were you working?

 What shift did you work?

 How many hours per day or per week did you work?

32.- What were you being paid?

 How were you paid?

33.- How long were you without a job at any point in time?

34.- How did you find your other job?

35.- Did you at any point in time leave one job without having another one in view?

36.- What were the reasons why you left your jobs?

37.- The jobs you accepted upon arrival would they be the same as those you would accept now, after ** years of experience in Canada?

38.- Was the kind of employment and the salary consistent with what you had expected to find in Montreal? How so?

39.- Was your present salary negotiable? yes [] no []

If no, why do you think it wasn't? _____

40.- Are you satisfied with the salary you presently receive?

yes [] no []

If not why not _____

If yes why

41.- Do you get any benefits i.e., sick days, holidays etc.

42.- Did your employer ask for any references or any other questions?

43.- A) Do you have any special skills? yes [] no []

If yes, please list _____

B) Did you require any special training for your present job or fro any of the jobs you held previously?

44.- Are you working without the proper immigration papers and without a work authorization?

45.- Are your friends in Montreal aware of your status in Canada ?

Are your friends back home aware of your status in Canada?

46.- Do you know of other people from back home who are here and in the same situation you are in?

47.- Have any of your friends or acquaintances from back home asked you to help them come to Canada? and have you helped any?

If yes: what kind of help did you give them?

48.- Do you see yourself in this situation for a long time to come (permanent or temporary)

49.- What do you dislike the most about your status?

50.- If you could change something about your present situation what would it be?

51.- What do you see are the advantages to working under the conditions under which you are working?

52.- What do you see as the disadvantages to working under the conditions under which you are working?

53.- Have you ever been in a similar situation, i.e., where you worked illegally, in another country ?

SOCIAL ASPECTS

54.- What languages do you speak?

55.- Has your inability not to speak one of the two official languages hampered you in any way?

56.- Considering, your illegal status in Canada did you take any special precautions?

57.- Were you afraid of anything or anyone because you were illegal?

58.- Describe to me some of the things you must watch out for in a typical work day? and in a typical day after work?

59.- (1) Do you have (a) a telephone and (b) is it listed under your name

If you answered yes to (a) and (b) did you have any problems. Explain how you obtained these services

If you answered no to (b) explain how you managed to obtain a telephone and under whose name the phone is under

(2) What about your hydro bill

(3) Your lease

(4) Do you file income tax returns. If so do you file them under your name:

(5) Do you have a driver license Yes No

Do you drive in Canada Yes No

Do you own your own car Yes No

(6) Do your children attend school.

Yes No

How did you go about registering them in School Are they attending English or French school

7) Did you complete the forms for the last Census

Yes No

(8) Do you subscribe to any magazines or newspaper

Yes No

60.- Do you open your door when you are not expecting people

Yes No

If yes why or if no why not (ask about how they feel and if there are reasons for that ex. past experience with themselves or a friend)

61.- Does being illegal prevent you from doing certain things Explain

62.- Do you turn down invitations for social events because you are illegal

Yes No

63.- When people ask you what your status in Canada is what do you tell them

64.- What happens when you are sick. Do you go see a particular doctor (i.e., who you see regularly) or just any doctor or do you go to a hospital.

Do you use a medicare card. Yes NO

If so whose. Do you have any fears about using someone else's card.

If not. How much are you charged?

If you do not use as medicare card what do you tell the doctor.

65.- Do you have people you can turn to in case of a medical emergency?

Would this be the same person(s) who you would turn to help you find a job? or help you with other problems?

If not who are these persons?

66.- How do you react when you see a police officer or police car coming towards you. Are you afraid of being stopped and why

67.- Do you know other people who are in the same situation as you are in

Yes No

How many and how did you meet these people

Are these people from the same country you are from?

68.- Are you still in contact with your family back home

Yes No

What do you tell them about your status in Canada

Do your children want to join you in Canada

Yes No

Do they understand your situation Yes No

If your children do not understand - how does that make you feel?

Do you find it is worthwhile to remain here, separated from them?

What do you hope to do? How would you have them join you? Who is caring for them back home?

69.- Do you send money to your family back home Yes No

To whom exactly:

70.- Do you feel safe now in Canada or rather do you feel safer than you did at the very beginning of you being illegal

71.- Do you want to return back home Yes No

If yes would you return for good or just for a short period of time (how long).

When do you think you would like to return

If you decided to migrate again where would you go and for what reasons

72.- Do you feel that there are advantages to being a permanent resident of Canada Yes No

Why are you not a permanent resident

73.- Do you feel as though you are missing out on something because you are not a permanent resident of Canada

74.- What are your future plans

75.- Do you plan to stay in Quebec or do you plan to move. Why or why not

76. Have you tried to obtain landed immigrant status in Canada since your arrival. What happened explain

77.- Any other comments:

APPENDIX B

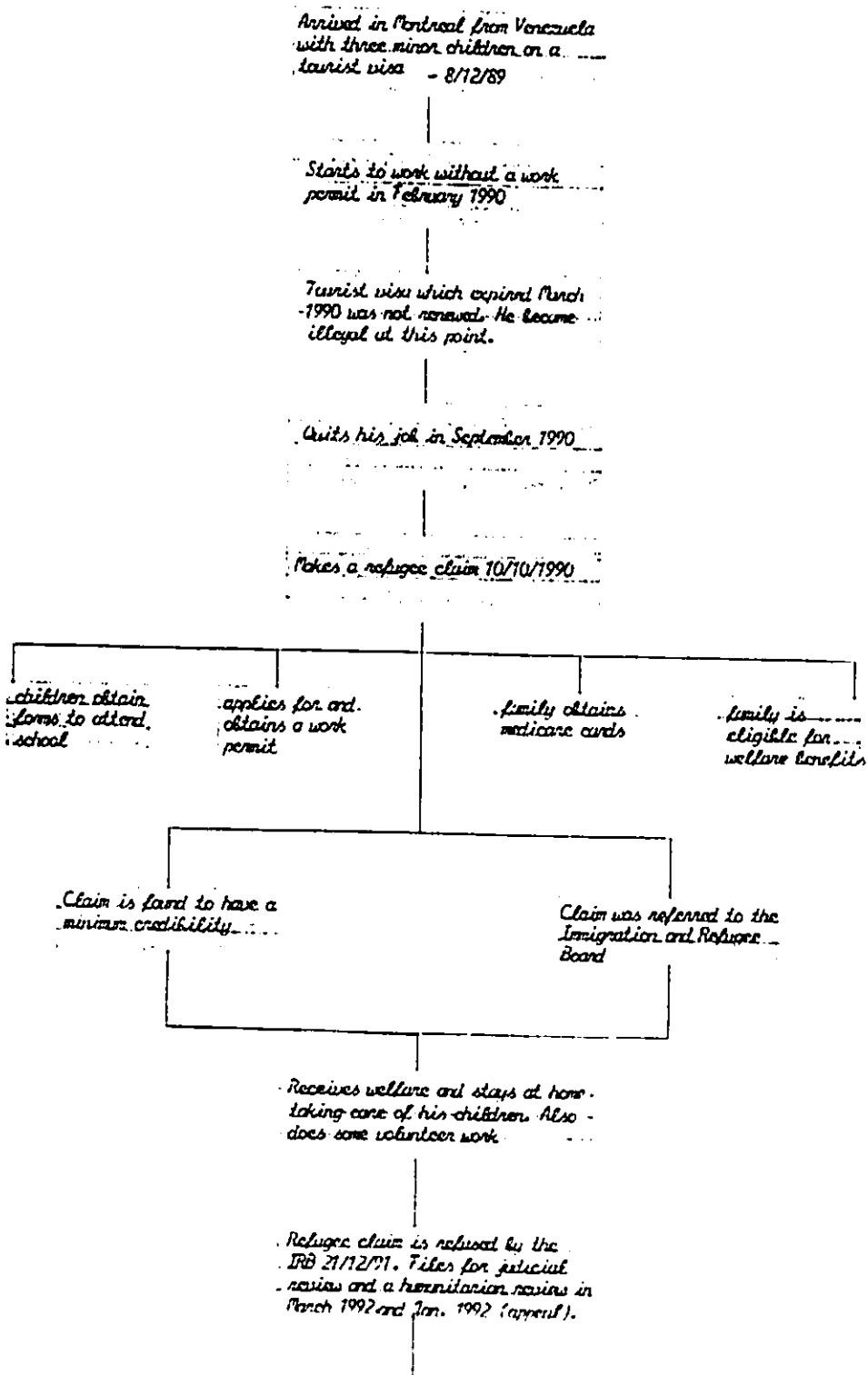
	Gender	Age at arrival	Marital Status	Years of education	Country of origin	Year of arrival	No. of years illegal	No. of children at time of arrival	No. of children accompanying immigrant	No. of Canadian born children	Divorced in Canada	Present Marital Status
1	Female	31	Married	10	Sierra	1983	12	2	-	-	1990	Married
2	Male	39	Never married	9	Venezuela	1989	3	6	3	-	1988-1995	Divorced
3	Male	25	Married	6	England	1987	4	-	-	1	1994	Divorced
4	Female	47	Married	17	Philippines	1986	9	4	-	-	NO	Married
5	Female	31	Married	9	Grenada	1988	7	4	2	-	1994	Divorced
6	Female	25	Never married	9	Grenada	1989	6	-	-	-	N/A	Never married
7	Female	27	Never Married	9	Trinidad	1988	7	3	-	-	N/A	Never married
8	Male	24	Married	11	Israel	1991	3	-	-	1	NO	Married
9	Female	39	Married	10	Jamaica	1988	7	9	3	-	1991	Divorced
10	Female	22	Never Married	14	Grenada	1990	5	-	-	-	N/A	Married
11	Male	25	Never married	12	Trinidad	1988	7	-	-	1	N/A	Married
12	Male	18	Never Married	9	Grenada	1990	5	-	-	1	N/A	Married
13	Female	21	Never Married	14	Jamaica	1990	5	1	-	-	N/A	Married
14	Male	38	Never Married	4	Guinea-Bissau	1990	5	1	-	-	N/A	Never married
15	Male	32	Married	11	Peru	1990	5	1	-	-	1994	Married
16	Male	21	Never married	10	Bangladesh	1983	12	-	-	1	N/A	Married
17	Female	27	Married	13	Jamaica	1992	3	3	1	-	1995	Divorced
18	Female	29	Never married	9	Barbados	1988	7	3	-	-	N/A	Married
19	Male	18	Never married	12	Grenada	1989	6	-	-	1	N/A	Married
20	Male	24	Never married	13	St. Vincent	1992	3	-	-	-	N/A	Married

Subject	Gender	Age at Arrival	Marital Status At Arrival	Years of Education	Country of Origin	Year of Arrival	No. of Years Illegal	No. of Children at Arrival	No. of Children Accompl'd Migrant	No. of Children Born	Divorced In Canada	Present Marital Status
1	M	36	M	11	Philippines	1990	3	7	0	1	1992	M
2	M	31	M	3	Jamaica	1994	1	1	0	0	1995	M
3	M	31	M	3	Jamaica	1989	6	0	0	0	1992	M
4	F	26	N	9	Jamaica	1990	4	3	0	0	N/A	M
5	F	39	D	9	Trinidad	1988	4	2	1	1	N/A	D
6	M	29	M	13	Philippines	1991	2	0	0	1	1993	M
7	M	38	M	15	Trinidad	1988	2	6	3	1	1991	M
8	F	23	M	13	Hungary	1992	2	1	1	0	N/A	M
9	F	25	N	0	Dom. Rep.	1985	4	0	0	1	1992	M
10	M	17	N	9	Trinidad	1988	4	0	0	0	1994	D
11	M	24	N	13	Honduras	1991	3	0	0	0	N/A	M
12	M	26	M	10	Jamaica	1993	2	1	0	0	1993	M
13	F	19	N	10	Grenada	1991	3	1	0	0	N/A	N
14	F	37	N	7	St-Vincent	1992	3	3	1	0	N/A	M
15	F	36	M	7	Barbados	1990	5	3	0	0	N/A	M
16	F	22	N	14	Poland	1993	2	0	0	0	1995	D
17	M	25	N	0	Albania	1991	2	0	0	0	N/A	M
18	M	12	N	0	Trinidad	1987	3	0	0	0	N/A	N
19	F	24	M	12	Russia	1991	3	0	0	1	N/A	M
20	F	24	N	0	Ghana	1990	1	2	0	0	N/A	M
21	F	29	M	0	Seychelles	1991	3	2	2	0	N/A	M
22	M	25	M	13	Hungary	1992	2	1	0	0	N/A	M
23	M	32	M	14	Ghana	1992	2	2	0	0	1993	D
24	F	19	N	10	St-Vincent	1990	5	0	0	1	N/A	M
25	F	30	M	0	Cuba	1991	1	0	0	1	1992	D
26	F	31	M	0	Trinidad	1987	3	3	0	1	1992	M
27	F	23	N	13	Grenada	1988	4	0	0	0	N/A	M
28	M	22	N	0	Grenada	1987	5	0	0	0	N/A	N
29	F	44	M	9	Jamaica	1981	6	8	0	0	1990	M
30	M	25	N	13	St-Vincent	1990	3	0	0	0	N/A	M

APPENDIX C

STRATEGY FLOWCHART

Jim Subject #3



Federal Court of Appeal dismisses his application for judicial review in August 1992.

Since arriving he has managed to locate the mother of his children who was living in Montreal and was the reason he decided to migrate. He discovers she is married and is a permanent resident of Canada.

Makes arrangements with the mother of his children so that she may sponsor the children. She agrees and he gives her custody of the children in August 1992.

He goes underground.

He receives a permanent resident of Canada on July 9, 1993 for the sole purpose of gaining admission to Canada.

Gets into a fist fight 23/8/94 with the husband of the mother of children during a visit with the children.

Later the same day he is arrested by the P.C. police.

P.C. police inform immigration that they've arrested an illegal.

Charged and detained by the P.C. Released 23/8/94 after his bail hearing. Bail was set at \$500.

Because of his problem with immigration he wasn't yet free. He was transferred to the immigration detention center to await a hearing.

His wife files a sponsorship application with immigration on August 25 1994.

Immigration holds a detention review hearing (26/8/94). He is released on \$1,000 bail and conditions set.

Asks a sponsorship interview to determine if there are sufficient humanitarian grounds to grant him in-land visa

Because of the criminal charges he remains until the resolution of these charges

Sponsorship interview held 26/10/93. He is refused

Remains in Canada legally while proceedings are ongoing. Must continue to respect bail conditions

He is now in status and is eligible to receive welfare benefits which he does begin to collect in Feb. 1994

His wife files for divorce

Feb 1992
Requests that his former employer - a former with whom he did seasonal work - file a job offer on his behalf. It is refused in May 1994

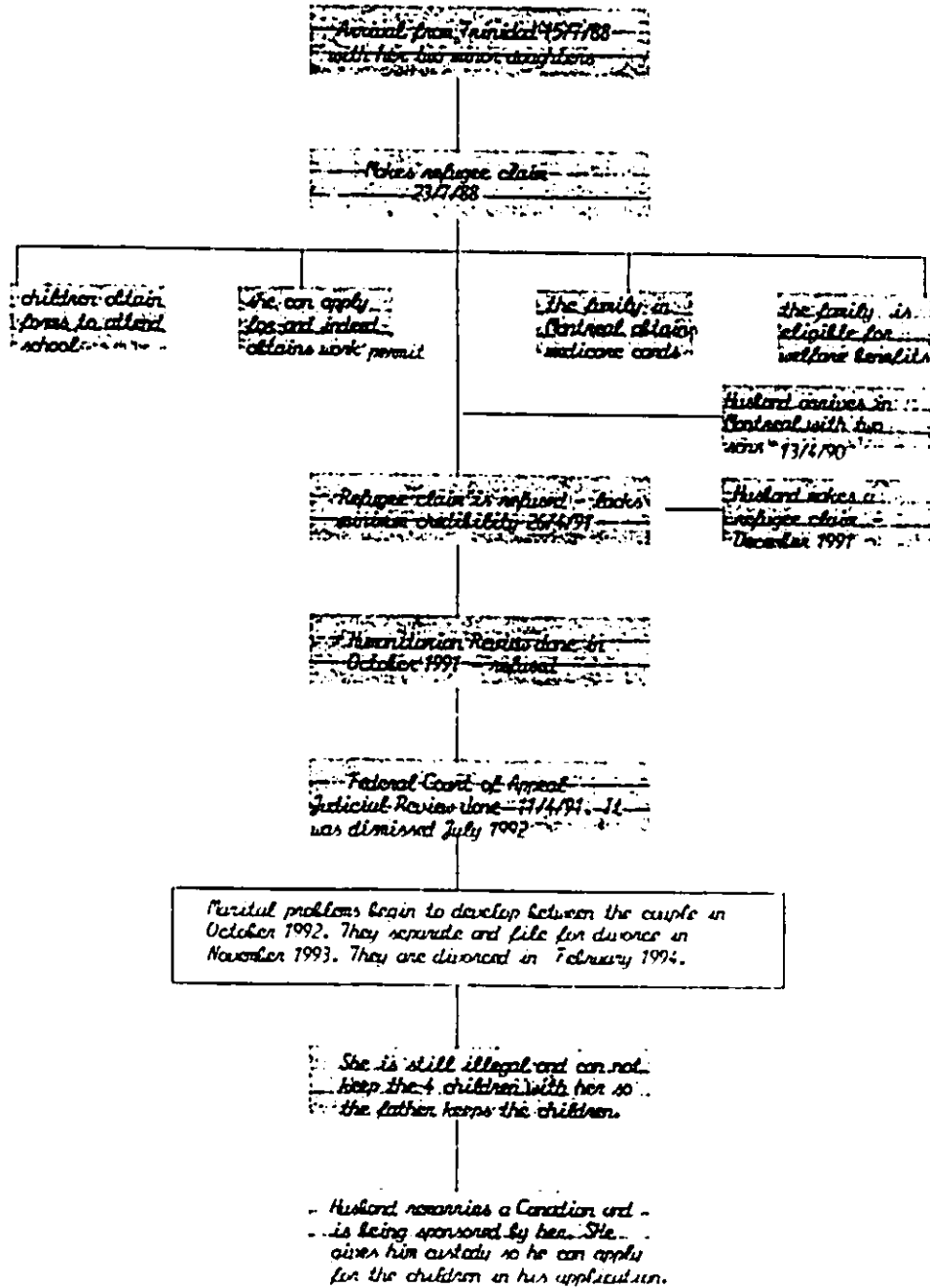
Criminal charges against him are dropped in May 1994

Must inform immigration of this - so he must report to immigration to make departure arrangements

He does not report to immigration. He goes underground

STRATEGY FLOWCHART

Martinez Subject #5



STRATEGY FLOWCHART

Reps: Subject #3

Arrived from the Philippines on
26/08/86 alone on a visitor's visa

In Sept. 1986 while on a valid visa
she applied as a domestic under the
Temporary Domestic Program

In Nov. 1986 she applies for an
extension of her visa so that she
remains in status.

In Feb. 1987 she was refused as
a domestic.

April 29 1987 her visitor's visa
expired and she could not renew it.
But she didn't want to leave Canada.

May 1 1987 she makes a refugee
claim.

applies for and
obtains a work
permit

Obtains medicare
and

Is eligible for
welfare benefits

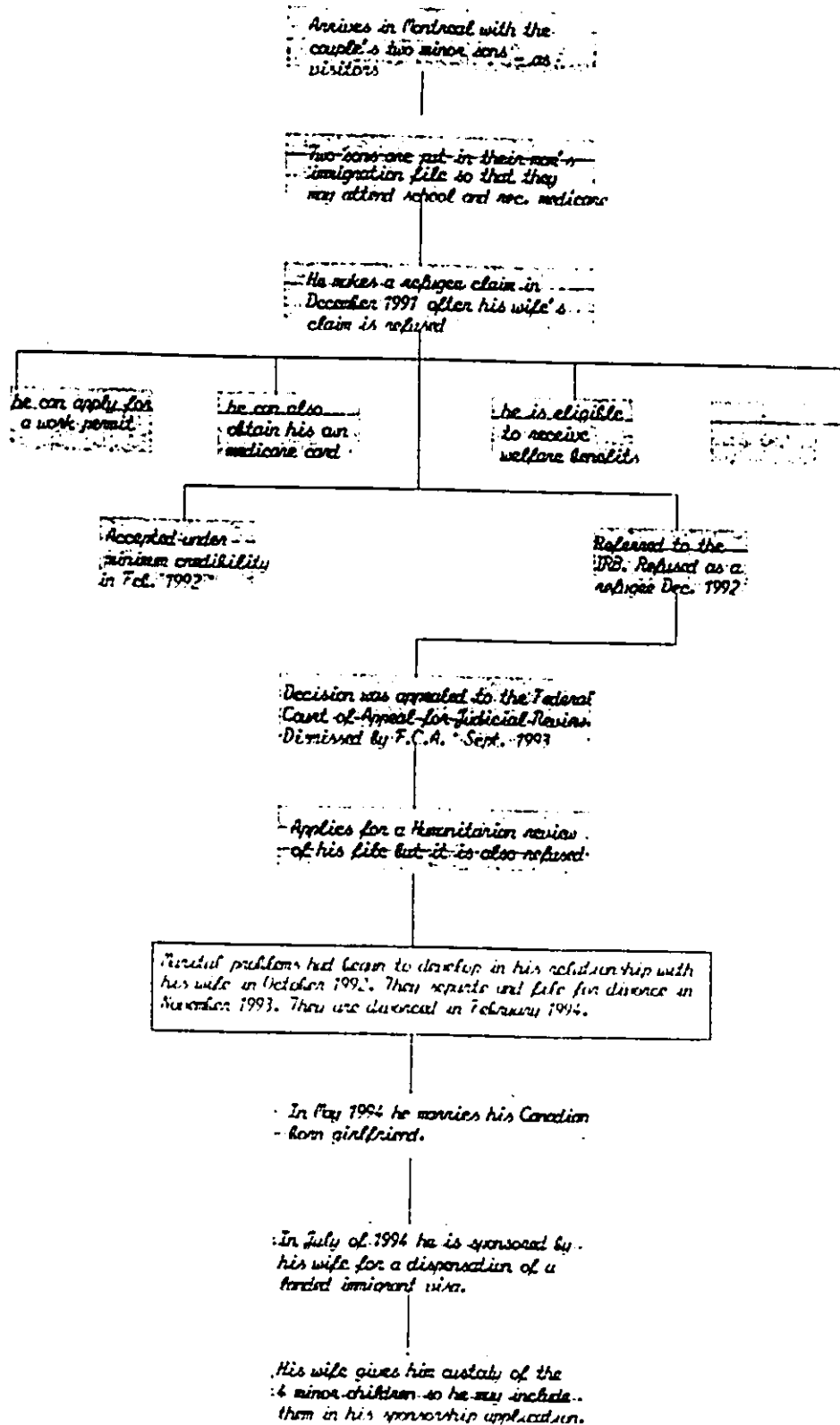
Refugee claim is refused on
2/1/92

No appeal or judicial review was
done in her case.

Received departure notice on
2/1/92

STRATEGY FLOWCHART

Bartine's Husband



Glossary

Adjudicator - a member of the Adjudication Division of the Immigration and Refugee Board, with the power of a Commissioner. Adjudicators preside over immigration inquiries, hearings and detention reviews.

Adjudicate (claim) - to have claim heard by the Immigration and Refugee Board and a decision made on whether or not the claimant meets the definition of a Convention refugee.

Admission - permission to come into Canada as an immigrant or a visitor (see Entry and Landing).

Amnesty - a conditional offer to all migrants found in the country at the time the Amnesty was announced that all migrants who presented themselves at their local immigration office, within a stipulated period of time, would be permitted to make an application for landing regardless of their present status,

Assisted Relatives - immigrants, other than members of the family class, with close relatives in Canada, for example sister, brother, aunt, uncle.

Asylum Shopping - persons who are looking for a specific country for reasons other than protection or persons who go from one country to another in search of refugee.

Authorization see Employment Authorization or Student Authorization

Backlog - persons who had made a refugee claim and who: 1.- were in Canada on May 21, 1986; 2.- was the subject of an examination; and who had not received a final determination of their by January 1st 1989. These persons were streamlined into an administrative program called the backlog. It was an attempt to deal with the exceedingly high numbers of claims that had not been adjudicated upon.

Canada-Québec Accord - the Accord through which the federal government renewed Quebec's selection powers for independent immigrants and transferred to Québec the responsibility for the integration of its immigrants. Under the Accord, the federal government maintained responsibility for admitting immigrants, granting permanent resident status, overseeing control and enforcement activities, and granting citizenship.

Canadian citizen - a person who was born in Canada or who has applied through the Department of Citizenship and Immigration and has received a citizenship certificate.

Certificate of selection - the Canada-Québec accord permits the province of Quebec to select its immigrants. Persons who meet the provincial selection requirements are issued a certificate of selection.

Convention refugee - any person who, by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion,

- i) is outside the country of the person's nationality and is unable or, by reason of that fear, is unwilling to avail himself of the protection of that country or
- ii) not having a country of nationality, is outside the country of the person's former habitual residence and is unable or, by reason of that fear, is unwilling to return to that country.

Departure Order - an order issued to a person who has violated the Immigration Act. The order requires that person to leave Canada within a prescribed period and permits re-application for admission. A departure order will be deemed a deportation order (see below) if the person does not leave Canada within the prescribed time and obtain proof of departure. If a certificate of departure is not obtained, re-application for admission will not be possible without Ministerial consent and reimbursement of removal costs.

Dependants - the spouse of a prospective immigrant and the children of that immigrant who are (whether born or adopted before the age of 19):

- unmarried and under 19 years of age;
- full time students; or
- mentally and/or physically disabled and unable to support themselves.

Deportation order - a removal order issued to someone who is inadmissible to Canada on serious grounds or has committed a serious violation of Canadian law. Deportation permanently bars future admission to Canada unless Ministerial consent is granted.

Designated class - permits the selection of immigrants who may not necessarily be Convention refugees, but whose admission to Canada would be in accordance with this country's humanitarian tradition toward the displaced and persecuted.

Employment - means any activity for which a person receives or might reasonably be expected to receive valuable compensation.

Employment authorization - a document issued by a visa officer or immigration officer, authorizing a person other than a Canadian citizen or permanent resident to work temporarily in Canada.

An employment authorization sets terms and conditions such as: the types of employment the person may engage in; prohibits against attending any university, college or other institution and against taking any academic, professional or vocational training course at any university, college or other institution, it may also set the identity and location of the employer with which the person may engage; the period during which that person may engage or continue in employment;

Entry - the lawful permission to come into Canada as a visitor.

Exclusion order - a removal order issued to someone at a Canadian port of entry for a minor offence, such as incomplete documentation, barring admission for one year.

Extension of time (see Renew visa)

Family class - the class of immigrants made up of close relatives sponsor in Canada, for example, spouse, dependant children, fiancé(e)

Illegal migrant - a person who has ceased to be a visitor in Canada, or who has ceased to be a foreign student and who is neither a permanent resident nor a Canadian citizen of Canada.

Immigrant - a person who comes to settle in Canada as a permanent resident (see definition below).

Immigration and Refugee Board (IRB) - a Board established by section 57 of the Immigration Act comprised of three divisions: the Convention Refugee Determination Division, the Immigration Appeal Division, and the Adjudication Division.

Immigration Officer - employees of the Department of Citizenship and Immigration who are designated by the Minister with authority to enforce any provision of the Immigration Act and Regulations.

Immigration Plan - the planned estimate of the total number of immigrants and refugees who are admitted into Canada during the following calendar year. Projections are made in consultation with NGO's, provincial governments and other interested parties.

Independants - the class of immigrants including "skilled workers" selected for their labour market skills and "business immigrants" (self-employed persons, entrepreneurs and investors) selected on the basis of their business experience and other related skills using a set of rated criteria ("points system").

Inland refugee claim - a person who arrives in Canada and makes a refugee claim while in Canada.

Investor - a person with a proven track record in business who has an accumulated net worth of at least \$500,000 and who makes an investment in a project which has been assessed by the province of intended residence as being of significant benefit to its economy. The project must also contribute to the creation or continuation of employment opportunities for Canadian citizens or permanent residents.

Labour market shortage - a situation that exists when Canadian employers have persistent difficulties in finding individuals with specific occupational qualifications to fill job vacancies.

Landing - lawful permission to come into Canada to establish permanent residence.

Live-in Caregivers - means a person who provides, without supervision, in a private household in Canada in which the person resides, child care, senior home support care or care of the disabled.

Refers to a migrant who is in Canada as a live-in caregiver and who has 1.- submitted an initial application for an employment authorization as a live-in caregiver to a visa officer; 2.- is in possession of a valid and subsisting employment authorization to work as a live-in caregiver; 3.- will complete (or has completed) a total of two years of full-time employment in Canada as a live-in caregiver within three years of being legally admitted to Canada.

Marriage - means the matrimony is recognized as a marriage by the laws of the country in which it took place, but does not include any matrimony whereby one party to that matrimony became at any given time the spouse of more than one living person.

Marriage of convenience - refers to persons who wed permanent residents of Canada or Canadian citizens for the sole purpose of gaining permanent residence in Canada.

Migrant - refers to persons who are not Canadian citizens or permanent residents of Canada. It covers any movement of persons whether visitor, refugee or other. This is a broader connotation than immigrant.

Overstayed - a person who has remained in Canada beyond the terms and conditions of their admission to Canada.

Permanent resident - an immigrant who has not become a Canadian citizen.

Point system - the selection system used to select independent migrants against specific factors such as education, age, experience, knowledge of French and English, and labour market demand.

Port of entry - any place designated as a port of entry (entry point) by the Minister for the examination of persons under the Immigration Act.

Real marriage - is a used to describe a person who is illegal but marries a permanent resident of Canada or a Canadian citizen not solely for the purpose of acquiring permanent residence in Canada.

Recognized refugee claimant - a person who has made a refugee claim and has been recognized as a Convention refugee.

Refugee - see Convention refugee

Refugee selected from abroad - refers to an individual who arrives in Canada as a recognized Convention refugee. These individuals must pass all selection requirements prior to arrival in Canada. These are refugees that are selected from abroad.

Refugee claimant - a person who has arrived in Canada and who requests refugee status. If a claimant is found to be a Convention refugee, he or she may then apply for permanent residence.

Refugee plan - a projection, as part of the Immigration Plan, of the number of people to be granted permanent residence in Canada each year, as refugees, through the in-Canada refugee status determination system and through resettlement from abroad.

Regularize - persons who are in Canada illegally and wish to either re-instate their original status or who wish to undertake immigration proceedings to obtain legal status in Canada.

Removal order - an exclusion or deportation order requiring someone to leave Canada.

Renew visa - persons are admitted into Canada for a temporary period of time, ranging from a week to six months. At the expiration of the validity of this status the person may request an extension of time for a maximum of six months at a time.

Skilled workers - independent immigrants who are admitted to Canada on the basis of their job skills.

Social Insurance number - persons with employment authorizations may apply for a temporary social insurance number. Temporary social insurance cards carry the number "9" as the first digit of the nine digit number to symbolize its temporary status.

Sponsor - refers to a Canadian citizen or permanent resident who is at least 19 years of age, who resides in Canada and who sponsors an immigration application made on behalf of a family class member.

Sponsorship - the process through which a member of the family class sponsors another individual's immigration application to Canada.

Student authorization - a document issued by a visa or immigration officer authorizing a visitor to take academic, professional or vocational training courses at a Canadian university, college or other institution.

Tourist - a person who is in Canada for the purpose of visiting family/friends or relatives and/or visiting the city.

Travel document - a valid and subsisting document issued for the purpose of international travel such as a passport or visa.

Tribunal - a quasi-judicial body empowered to make decisions.

Undertaking of assistance - in the case of Quebec, the Minister has entered into an agreement with the provincial government for family class members who intend to reside in Quebec, a written undertaking is required of the sponsor. The undertaking is like a contract, wherein the sponsor undertakes to assist the member of the family class and the member's dependants in becoming successfully established in Canada for a period not exceeding ten years. It also provides that the sponsor will lodge, care and support the member of the family class and the member's dependants.

Visa - a document issued, or stamped impression on a document, issued by a visa officer concerning a person's eligibility to enter Canada.

Visa officer - an immigration officer of the Department of Citizenship and Immigration stationed outside Canada and authorized to issue visas. A visa indicates that the prospective visitor has been pre-screened and that the visa officer is satisfied that the visa holder complies with the requirements for admission to Canada.

Visitor - a person, other than a Canadian citizen, permanent resident or Minister's permit holder, who is lawfully in Canada, or seeks to come to Canada, for a temporary purpose. Includes three distinct classes of individuals: 1.- persons seeking entry into Canada as ordinary tourists or who wish to visit relatives/friends in Canada; 2.- persons who seek entry into Canada to study; 3.- persons who seek entry into Canada to take up temporary employment.

Visitor Status - when normal visitor requirements are met persons seeking entry into Canada will be granted six months' stay as visitors.

Work permit/ Work authorization (see Employment authorization)