

Enslaving Temporary Migrant Women: Canada's Shifting Immigration Policies

by

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B.A., University of Saskatchewan, 2005

Thesis Submitted In Partial Fulfillment of
the Requirements for the Degree of

Master of Arts

in the

Department of Gender, Sexuality, and Women's Studies
Faculty of Arts and Social Sciences

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SIMON FRASER UNIVERSITY

Summer 2012

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Abstract

Canada's adherence to the expansion of the neo-liberal ideology has been accompanied by the federal government's implementation of an immigration policy shift from a focus on permanent residents to a focus on temporary migrants. Not only has the amount of temporary migrants increased, but so too has the amount of temporary migrant women, indicating the demand for their unfree reproductive labour. This thesis analyzes the changes made to the temporary foreign worker program (TFWP) over the past decade and argues that the Canadian federal government has purposefully implemented a series of changes to the TFWP to render temporary migrant women unfree in Canada and facilitate the extraction of their unfree reproductive labour, ultimately rendering temporary migrant women as modern day slaves. Through a feminist post-colonial lens, this thesis concludes that the expansion of the TFWP is a result of the country's adherence to neo-liberal ideology and the desire to secure a cheap, flexible source of unfree labour, which is necessary to increase the country's national comparative advantage.

Keywords: Temporary Foreign Worker Program; neo-liberalism; modern-day slavery; transatlantic slave trade, live-in caregiver, seasonal agricultural workers

Dedication

I dedicate this work to my devoted husband, whom without his love, inspiration and support this thesis would not have been possible. Not only did he help me to bring this thesis to fruition but the encouragement he provided me throughout the research is irreplaceable. Thank You.

Acknowledgements

I would like to express my appreciation to my advisory committee: Dr. Habiba Zaman and Dr. James Busumtwi-Sam. Your time, patience and understanding will be fondly remembered. A special thanks to Dr. Habiba Zaman for your continued support throughout the research and writing process of my thesis. Your kindness and dedication to my success has helped me develop into a strong academic.

To my parents, thank you for the continued love and support you have given me throughout my life and education. You have been such great role models and have provided me with one of the best gifts of all – education. Mom, your unwavering faith in me has provided me an irreplaceable feeling of love and confidence. Dad, your business acumen has been a constant inspiration to me and my life goals. Thank you to my siblings, who have helped to shape my educational career through their own achievements. To my best friend, my life partner and my husband, thank you for inspiring me to make the world a better place.

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Chapter 1: Modern-day Slaves in Canada

“No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms” – Article 4, Universal Declaration of Human Rights, United Nations (1948).

1.0 Introduction

Slavery was officially abolished in Canada by Britain in 1833 (Cooper, 2006), yet there is evidence to suggest that a modern-day form of slavery is emerging at the crux of an immigration policy shift within Canada. The expansion of the Temporary Foreign Worker Program (TFWP)¹ is an illustrative example of this shift. Initially established to fill short-term skill and labour needs within the country, the TFWP has now become the primary source of immigrant recruitment in Canada. Is Canada exploiting the TFWP as a means to recruit a cheap and flexible source of unfree labour, which ultimately amounts to a modern form of slavery?²

¹ The TFWP was initially implemented in 1973, as the Non-Immigrant Employment Authorization Program (NIEAP).

² Filipino advocacy groups such as the Philippine Women Center of Ontario (2012), Philippine Women Center of BC (Diocson, 2001), and the Philippine Women Center of Quebec (2011) refer to their own experiences of exploitation under the Live-In Caregiver Program as a form of modern-day slavery. As an act of solidarity to women subjected to exploitative conditions under the TFWP, the term modern day slavery will be utilized for the remainder of the thesis.

Since 2000, Canada has quietly been shifting the focus of its policy from a mandate that focused on permanent residency and family reunification, to a policy that now focuses on the recruitment of temporary migrants and their unfree labour.³ To execute the policy shift, the government has implemented a number of changes to the immigration policy over the past decade. The result has been a dramatic increase in the amount of migrants being recruited into the country from only 177,781 in 2000 to a staggering 432,682 in 2010 (Figure 1; CIC, 2007; CIC (a), 2008; CIC (c), 2010). Clearly, there is a substantial shift in immigration policy underway, yet there remains to be a lack

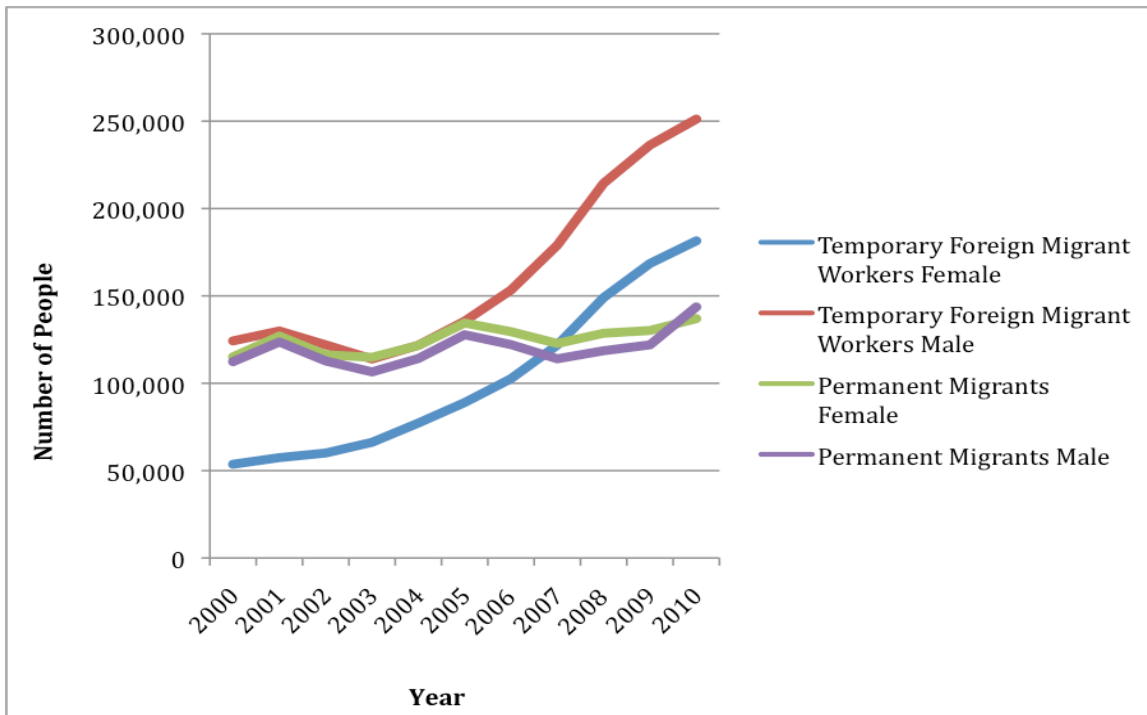


Figure 1. The number of temporary and permanent migrants recruited into Canada over the past decade.

Source: CIC(a), (2010).

³ The year 2007 marks the first year that Canada accepted more temporary migrants than permanent residents (CIC, 2008b).

of research analyzing the gender, class and racial inequalities and privileges that shape Canada's immigration policies.

It is fundamental that this immigration policy shift be assessed, as the new policies in the TFWP subject migrants to a form of modern-day slavery. While modern-day slaves are no longer stolen, bound and shackled as they once were in the transatlantic slave trade, the TFWP places many of the same restrictions of unfreedom upon its participants. Although it is evident that the institution of slavery that resulted from the transatlantic slave trade and the institution of modern slavery promoted by Canada's current immigration policies are distinctly different institutions, it is maintained that they share more similarities than differences. This thesis argues that there are enough similarities between the two institutions that the policies upheld and enforced by Canada's immigration policy constitute a modern form of slavery. I feel that it is fundamental to define the institution as modern day slavery because the Canadian government and many Canadian citizens currently disregard the abuses that temporary migrants are accustomed to. Since contemporary society has already deemed the institution of slavery as an unethical and immoral institution, to conclude that temporary migrants are being enslaved will also point to the inhumane and unjust conditions that temporary migrants are currently subjected to. The goal of this thesis is to reveal the many similarities between the transatlantic slave trade and the modern form of slavery that is resulting from Canada's shifting immigration policies.

Temporary migrants are compelled into a modern-day form of slavery as a requirement of their admission into Canada. Under the policies of the TFWP, migrants are required to sign written contracts with their employer, binding them to work

exclusively for one employer for the duration of their stay within Canada⁴. The contract further obliges them to live and labour on the same land as their employer⁵. As the majority of migrants originate from the global South, they often rely on their employer or an outside agency to cover their travel and visa expenses. Despite the abusive conditions that the migrant may be subjected to, they are required to stay with a given employer until they are able to pay off their debt.⁶ As a result of these coercive working conditions, temporary migrants feel compelled to submit to their employer's demands, working in unsafe and unhealthy conditions, working overtime and getting paid less than their Canadian counterparts (Preibisch, 2007; Preibisch and Hermosa Santamaria, 2006; Basok, 2002).

In his groundbreaking research on the transatlantic slave trade, Eric Williams (1966, p. 19) has argued that, "slavery was not born of racism: rather racism was the consequence of slavery." Williams (1966) maintains that the slave trade was used to economically advance white settler nations, which eventually facilitated the rise of capitalism. Unable to meet the labour demands required to initiate a capitalist economy,

⁴ This is also the definition of indentured servitude outlined by Bush (2000; p.28) in which a worker submits to working exclusively for a particular employer for a definite period of time.

⁵ This is also the definition of serfdom as outlined by the United Nations Slavery Convention of 1956 which states that, "the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status."

⁶ This is also the definition of debt bondage as outlined by the United Nations Convention on Slavery of 1956, which is described as a 'condition which arises from a pledge by a debtor, of his personal services or of those of a person under his control for the security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debtor the length and nature of those services are not respectively limited and defined.' The debt may be incurred for various reasons including travel expenses, visa expenses or such major events as funeral or wedding costs (Bush, 2000; p.39).

the implementation of a racist ideology helped to create a privileged class of white capitalists that could exploit an entire race of peoples in their quest for capital gain (Williams, 1966). Akin to the transatlantic slave trade, Canada's modern form of slavery primarily enslaves a racialized group of peoples.⁷

This thesis argues that the institution of modern slavery currently present within Canada has employed this same racist ideology as a means to move the country into an advanced stage of capitalism. Targeting the most vulnerable groups in society, women from the global South have felt the brunt of this exploitation as they have been economically forced to migrate. Over the past decade, there has been a growing demand for the recruitment of women within the program. These women, who predominantly originate from the Philippines and Mexico, now comprise almost half of the participants in the TFWP⁸ and primarily enter Canada through the two largest streams of the TFWP: the Live-in Caregiver Program (LCP) and the Seasonal Agricultural Worker Program (SAWP) respectively.

While there is a plethora of literature regarding women in the TFWP, the majority of the research is predominantly focused on women in the LCP (Anderson, 2000; Alcíd, 2003; Parrenas, 2001; Zaman, 2007). And although there is a growing amount of literature focussing on migrant women recruited through the SAWP (Fuller and Vosko, 2008; Preibisch and Grez, 2010), there remains to be a gap in the literature assessing these two groups of women simultaneously. When the women in the two streams are

⁷ Anti-racist scholars such as Cooper (2000) and Thobani (2007) also consider racism a product of slavery.

⁸ In 2008, the TFWP recruited 135,354 men and 105,875 women (CIC, 2008b).

analyzed together, however, it becomes apparent that both groups of women provide Canada with a source of unfree reproductive labour. As such, this thesis will analyze the two programs simultaneously, maintaining that both the modern form of slavery and the transatlantic slave trade were built on the capitalist notion of unfree labour.

Analyzed in light of the immigration policy shift, the reproductive labour of temporary migrant women sheds new light on the shifting immigration policy. Attempting to address this dearth, this thesis argues that the shift in Canada's immigration policy does indeed represent a modern form of slavery, which has been influenced by neo-liberalism and the economic benefits that the enslavement of foreign labourers brings to the country and its employers. Canada appears no longer committed to maintaining its reputation as the 'liberal and humanitarian country' that it has in the past. Rather, the main objective of the current immigration policy has been skewed by the country's adherence to the neo-liberal ideology wherein economic competition is of the utmost concern. Indeed, the economic enslavement initiated by the TFWP is undeniably playing an integral role in Canada's goal to become "the world's economic leader".⁹ Like the transatlantic slave trade, this thesis argues that the modern form of slavery was implemented as a means to facilitate capitalist expansion in Canada.

This thesis analyzes Canada's shifting immigration policies and argues that any institution of slavery depends upon a system of laws, such as the immigration policy, to uphold the system of slavery. The research aims to address both why the shift is

⁹ In a discussion on immigration policy, Diane Finely, the previous Minister of Citizenship and Immigration, referred to Canada's migration policy is part of 'a national economic plan designed to make Canada a true world economic leader (Work Permit, 2007).

occurring and how the shift functions to enslave temporary migrant women. In order to identify these issues, I textually analyze the policy changes over the last decade, assessing how each policy change has functioned to increase Canada's national comparative advantage through the enslavement of temporary migrant women.

This thesis argues the following points:

- Many temporary migrant labourers are currently engaged in employment relations that constitute a modern form of economic servitude and slavery (Bales, 2004, 2005, 2008). Temporary migrant women admitted into Canada under the TFWP are indeed enslaved.
- The TFWP can be considered a modern institution of slavery because the majority of its defining features are the same as the transatlantic slave trade, which ultimately defines an institution of slavery. Both institutions were built on the capitalist notion of free and unfree labour, both utilized racist ideologies to create an unfree labour force, and both depended on a system of laws implemented as part of capitalist expansion in order to uphold the institution.
- It is the temporary legal status of the migrant women, which both justifies and validates their enslavement.
- The expansion of the TFWP can be seen as the result of the country's adherence to neo-liberal ideology and the desire to secure a cheap, flexible source of unfree labour, which is necessary to increase the country's national comparative advantage.
- The discriminatory nature of Canada's temporary foreign worker program has had detrimental effects upon racialized women from the South.

1.1 Research Methodology

The official version of the *Immigration Act* would have society believe that it is an impartial, neutral and objective system (Comack, 1999) that treats all people that come before it equally. However, in reality, the *Immigration Act* not only functions as a reflection of societal beliefs but also functions to maintain these beliefs. Since Canada and therefore its immigration policies have been built on the racist ideology (Sharma,

2006), each person that comes before the policy shall be judged through this ideological perspective. It is for this reason that I analyze the structure and the policies of the *Immigration Act* in an attempt to reveal how it serves to deny immigrant women access to rights and responsibilities and subsequently access to citizenship.

This research is an examination of the current trends of Canada's immigration policies. As such, a critical textual analysis of recent and current literature regarding the policy will be utilized. As Smith (1990) notes, "the investigation of texts as constituents of social relations offers access to the ontological ground of institutional process, which organize, govern and regulate the kind of society we live, for these are to a significant degree forms of social action mediated by texts" (p.121). In the search for the real motives behind the immigration policy shift, it is thus fundamental to critically analyze the information, which is right in front of us and is normally overlooked. Critical analysis exposes knowledge embedded within the texts and institutions, which is integral to the relations of ruling (Smith, 1990). In this manner, I maintain that the textual analysis will be a step towards finding out whose interests are being served by the shifting immigration policies.

In my endeavour to illustrate Canada's underlying power structures governing the policy shift, I employ a textual analysis of accessible research and reports applicable to the changes that have occurred to Canada's immigration policy from 2000 until 2010. As a feminist scholar, I deconstruct the current Canadian *Immigration Act* with the intention of illustrating how it reflects Canada's adherence to neo-liberal ideology and consequently functions to enslave temporary migrant women through the denial of citizenship rights. Relevant academic sources will include secondary sources, texts,

books, book chapters, and peer-reviewed journal articles. Since many of the migration policy changes have not been made public, this research also relies on a variety of “grey” material including: media articles from a wide array of sources including migrant advocacy groups, government documents including websites, news releases, facts and figures statistics, Canada’s annual migration plan, and Canada’s annual budget.

The research is also supported by statistical evidence drawn from Statistics Canada such as the number of temporary/permanent migrants entering the country, the amount of female migrants, country of origin, length of stay in Canada, and the occupations within which female migrants are concentrated. This statistical information is primarily obtained from Citizenship and Immigration Canada from the years 2000 – 2010.

1.2 Theoretical Framework

According to Howlett and Ramesh (2003), an effective policy analysis requires the use of theory. The theories I have chosen to use throughout this thesis are: Postcolonial Theory, Political Economy Theory and Critical Race Theory. In combination, these theories provide an effective framework for analyzing how Canada’s immigration policies affect racialized women from the South. The following section discusses these theories in an attempt to illustrate how they will be used throughout the thesis.

(a) Political Economy

The political economy model of migration asserts that, “economic factors and class-based political processes shape immigration policy” (Zaman, 2006, p. 36). Political Economy theorists argue that capitalists will import migrant labour in order to put downward pressure on domestic wages (Meyers, 2000). Using this theory as a framework for this thesis, I will argue that the shift in Canada’s immigration policies is largely governed by the country’s need to achieve the neo-liberal goal of increased capital accumulation.

(b) Postcolonial Theory

While Political Economic theory is widely utilized throughout migration studies, the theory has been criticized for disregarding migrant women’s experiences and roles within migration. Nonetheless, much postcolonial feminist research has been focussed on including women into the analyses of migration theories, illustrating that women’s situation under capitalism has been markedly different from their male counterparts (Vosko, 2003). The ultimate goal of postcolonial feminism is two-fold: to racialize mainstream feminist theory and to insert feminist concerns into conceptualizations of colonialism and post-colonialism (Lewis and Mills, 2003). By this means, postcolonial theorists can attempt to discern the oppressive power relations encoded in the name of race, nation and empire, as well as those of gender, class and sexuality as a means to make positive changes (Lewis and Mills, 2003).

Post-colonial theorists, such as bell hooks (1984, 1989), often utilize slavery and the slave trade as a starting point to analyze current gender and racial hierarchies and oppressions within the capitalist system. Since, women’s role, in particular racialized

women's role, is often excluded from discussions regarding the processes of capitalism, post-colonial theory aims to include women. In focussing their attentions on the oppressive nature of capitalism and by extension, the current capitalist systems, post-colonial theory has given racialized women a voice, a place and has ultimately revealed the importance of women's reproductive labour within capitalism. Using the slave trade as a starting point, this thesis aims to address the discriminatory nature of the Canada's immigration policy.

(c) Critical Race Theory

Critical Race Theory is the final theory used to frame this thesis. The theory argues that North American society has normalized racism. That is to say that racism has been inherently ingrained into our society and has begun to appear ordinary and natural. Critical Race Theory challenges racial oppression by critically analyzing the myths, presuppositions and received wisdoms that make up the common culture about race and render non-white people oppressed. Like critical race theorists who strive to create a fair and equal world for all, this thesis attempts to critically analyze Canada's immigration policy in an attempt to reveal the racist, sexist and patriarchal nature of the policies and ultimately construct a different narrative (Delgado and Stefancic, 2000).

1.3 Chapter Outline

Chapter two maintains that female unfree reproductive labour is an essential part of any capitalist expansion. Attempting to show the similarities between the transatlantic slave trade and the modern system of slavery created by Canada, the chapter argues that

both systems have forcefully recruited racialized women from the South as a means to fulfill their required amount of reproductive labour. The chapter demonstrates that Canada, a country currently in a capitalist expansion period known as neo-liberalism, is recruiting their required female unfree reproductive labour source through the TFWP. It is thus maintained that the economic benefits derived from the use of unfree labour are driving the demand for female unfree labour among industrialized capitalist countries of the North. The second section of the chapter takes an in-depth look at the effect of neo-liberalism upon The Philippines and Mexico, the two source countries that currently send the most temporary migrant women to Canada. Ultimately the chapter illustrates the detrimental effects of neo-liberalism upon racialized women from the South.

The first section of Chapter three argues that the history of reproductive labour in Canada began with slavery and as such, any discussion on reproductive labour must include the origins of slavery. Greatly influencing the direction of the reproductive labour sector as well as its regulating body of Canada's immigration policy, many facets of slavery remain attached to the labour sector today. It is only through the juxtaposition of a historical analysis of reproductive labour, beginning with slavery and the current immigration policy, that a system of modern-day slavery becomes apparent. The chapter illustrates that throughout the history of immigration in Canada, the temporary legal status has been intricately tied to the immigration policy, ultimately functioning to reinforce the oppressive nature of the policy. The second section of the chapter argues that the temporary legal status has been a fundamental component in recruiting a cheap, disposable source of unfree reproductive labour and ultimately contributed in upholding modern day slavery.

Chapter four argues that migrant women participating in the TFWP are indeed modern-day slaves. The chapter provides a working definition of modern-day slavery and illustrates how the conditions of women participating in the TFWP are akin to this definition. The chapter further contends that the TFWP promotes exploitation of the migrants by fostering paternalistic/maternalistic relationships and through the threat of deportation.

Chapter five carries out the contextual analysis on the shifting immigration policies. Through a critical textual analysis of the country's shifting migration policies, it is maintained that Canada has shifted its immigration policies over the past decade as a means to achieve the government's neo-liberal goals. It is further argued that the government has attempted to achieve these neo-liberal goals in two ways. First, they have prolonged the temporary status of migrant women, which also prolongs the period of time that the government and Canadian employers are able to exploit migrant women. Second, the government has promoted employers to utilize the expanding temporary labour force as it increases the national comparative advantage.

Chapter six contextualizes the findings of the research, addressing the impact of the policy changes upon the Canadian labour market. The contextualization illustrates how the temporary status of female migrants has benefited Canada and the caregiving and horticulture sectors. Ultimately, the chapter demonstrates how neo-liberal restructuring has created a reliance on unfree reproductive labour in Canada.

The conclusion in chapter seven is a final attempt at arguing that the TFWP is indeed a modern form of slavery. Reiterating the many similarities between the

transatlantic slave trade and the modern system of slavery that were discussed throughout the thesis, it is hoped that the atrocities of Canada's immigration policies are brought to light. The concluding section of the chapter makes a series of recommendations on how the TFWP can be modified in order to improve the lives of migrant women and end their enslavement

Chapter 2. Unfree Reproductive Labour

“Feminism is not simply a struggle to end male chauvinism or a movement to ensure that women will have equal rights with men; it is a commitment to eradicating the ideology of domination ... so that the self-development of people can take precedence over imperialism, economic expansion and material desires.” (hooks, 1981, p.194)

2.0 Introduction

Throughout the history of capitalism, one of the most desirable resources traded on the global market has been unfree reproductive labour. The transatlantic slave trade is a case in point; capitalists from the North physically coerced countless women from the South to labour in sectors traditionally connected to women, such as caregiving and food production (Williams, 1966). Over 200 years later, the demand for unfree labour continues to exist and seems to be growing at an exponential rate (Brass, 2009; Miles, 1987; Corrigan, 1977). Although women are no longer physically forced into the global labour market, this chapter argues that they are, however, economically forced to do so as a means to exploit them for their unfree labour.

Marxist theorists suggest that unfree labour is an absolute necessity during all stages of capitalist growth (Brass, 2009; Miles, 1987; Corrigan, 1977). Under colonial rule, the exploitation of women’s unfree reproductive labour was overt and clear. However, it is now obscured by neo-liberal policies, which focus on economic expansion,

and completely disregard the well-being of the women they are exploiting. Although this exploitation is no longer an openly accepted practice, it nevertheless continues to be a vital aspect of capitalism. Obscured by neo-liberalism, the exploitation of women's unfree labour is now masked behind capitalism's 'need' for economic expansion.

In order to carry out the economic expansion, neo-liberalism has heavily relied on immigration policies. Under the guise of neo-liberalism, immigration policies have been granted the power, to not only recruit women's unfree labour, but to also justify their exploitation. With regards to Canada, the designated program responsible for recruiting unfree reproductive labour is the TFWP. This chapter attempts to illustrate how immigration policy contributes to the neo-liberal economic expansion of Canada by arguing that Canada has shifted its immigration policies in an attempt to provide the country with a constant flow of cheap, flexible unfree labour. The first section offers an indepth exploration into the expansion of the TFWP. In doing so, the chapter alludes to the notion that both the transatlantic slave trade and Canada's TFWP are similarly motivated by capitalism's necessity for unfree reproductive labour.

The second part of the chapter explores those neo-liberal forces that push women into these exploitative conditions. Focussing on Mexico and the Philippines, the two countries that send the most female temporary migrants to Canada, the chapter demonstrates how the enslavement of temporary migrant women is a global process and must be viewed as such. Although temporary migrant women were not physically forced

into entering the global migration circuit, the neo-liberal global restructuring has economically forced them to do so.¹

2.1 Unfree Reproductive Labour

Canada's history is wrought with the recruitment and exploitation of women's unfree labour. From chattel slaves to the current stock of temporary migrants, the recruitment of unfree reproductive labour has been a fundamental component in the making of Canada (Macklin, 1992; Miranda, 2007; Cooper, 2007; Bolaria and Li, 1988; Bush, 1990; Moitt, 2001; Mies, 1998; Acker, 2004). Offering capitalists the necessary means to move beyond that of subsistence living, the unfree labour of non-white women has been fundamental in facilitating the profit maximization required of capitalism in Canada (Williams, 1966; Fox-Genovese, 1988).²

The subordination of women's work as unfree within the capitalist system begins with the distinction between free and unfree labour, which was derived early on in the history of capitalism. Within this division, unfree labour is contrasted with the capitalist norm of free labour (Elson, 1998). Free labour is also referred to as wage labour, which is the commodification of labour power. According to Marx (as seen in Marx and Elster,

¹ The policies inherent within neo-liberal restructuring have widened global inequalities and intensified gender, class and racial inequalities (Lindio Mc-Govern and Wallimann, 2009). These restructuring policies leave migrant women with limited options, which reduce the capacity to make reasonable choices (Goli, 2009). Although the women are active agents in consciously choosing to migrate in search of work, they are in essence choosing physical and economic security, health, peace and safety. In contrast, their other option would be to stay in their home country and in many cases with little opportunities, which could lead to death of himself or herself or a family member.

² Refer to Fox-Genovese (1988) for a more in-depth analysis of capitalism's interconnectedness with the transatlantic slave trade.

1986. P.139), a free wage labourer is, “free in the double sense, that as a free man he can dispose of his labour power as his own commodity, and that on the other hand he has no other commodity for sale”. Free wage labour thus permits the labourer to exchange her/his labour power for a monetary value on the market, to an employer who has the means to utilize the labour power. Individuals can use their personal labour power as their own private property and can thus dispose of it on the market as they feel fit (Miles, 1987).

Conversely, an unfree labourer cannot dispose of her/his labour power as her/his own commodity. Rather the labour power belongs to the employer. Unlike the free labourer, the labour power of an unfree labourer is forcefully transformed into an item of exchange and the labourer is required to work for an owner by means of direct force, which can be sustained and legitimated by law (Marx as seen in McLellan, 1977). According to this definition of unfree labour, the reproductive labour that women have traditionally performed can be considered unfree.

Reproductive labour is defined as the unfree labour needed to sustain the productive labour force (Parrenas, 2006). This labour may include: household chores; the care of elderly, adults and youth; socialization of children; maintenance of family ties, and food production and preparation. Historically performed by women in and around the home, reproductive labour has been gendered as women’s natural work. Since there is no direct economic profit, women’s labour has been deemed low status, is considered to be unproductive and is usually unpaid or underpaid (Miranda, 2007).

While Marx's (as seen in McLellan, 1977) original theory of unfree labour did recognize that reproductive labour was a necessity to capitalist expansion, he took this labour for granted in his research (Elson, 1998). Marxist feminists however, have valuably pointed to the existence of gender differences in unfree labour, arguing that reproductive labour, is markedly different from men's unfree labour (Acker, 2004; Mies, 1998). Calling attention to the patriarchal nature of capitalism, Mies (1986) argues that women's contribution to the well-being of human life, which is sustained through unpaid reproductive labour, has largely been excluded within the calculations of capitalist production (Mies, 1998). Rather, capitalist production has been reduced to paid labour, which has historically been performed by men. In other words, the man's ability to sell his labour power for a wage on the market has only been made possible by the contribution of his wife's unpaid and unfree life-producing and sustaining labour power. Mies, Elson and Waring therefore propose that the unfree reproductive labour carried out primarily by women, has always been, and remains to be, an absolute necessity for any capitalist expansion (Acker, 2004; Mies, 1986; Waring, 1990).

Mies (1998) argues that this division between commodity production in the capitalist economy and the reproduction of human beings is a fundamental factor contributing to women's subordination in capitalist societies. Since capitalism has organized production around goals of capital accumulation, which has primarily been a man's domain, and not around meeting the reproductive and survival needs of people, which has primarily been a woman's domain, women's role within the system has been devalued. The fact that women do not produce a wage for the life-sustaining work they perform has thus rendered their labour as 'non-work' within the capitalist system (Mies,

1986). Though fundamental to any functioning and/or expanding capitalist system, the categorization of women's work as non-work permits the capitalist system to exploit reproductive labour.³

Since women participating in the TFWP are primarily performing reproductive labour, which is considered to be non-work in Canada, they and their arduous efforts are devalued in Canadian society. The exploitation and enslavement of temporary migrants is therefore justified on the basis that migrant women are not really working and therefore do not deserve the wages, working conditions or rights and freedoms that other Canadians are afforded.

Mies (1998), Elson (1998) and Acker (2004) further argue that the exploitation of women's unfree labour is dependent upon capitalism's belief that there is an endless supply of female unfree labour. That is to say that the exploitation of reproductive labour within the capitalist system can only continue as long as there are women to be exploited. They further argue that in the absence of the required amount of female unfree labour, capitalist countries will seek out replacement labour forces.

During the first phase of capitalist expansion in the Americas, the female unfree labour required for systematic growth was fulfilled through the recruitment of non-white females who were forced into the transatlantic slave trade. Although currently in another stage of capitalist expansion, known as neo-liberalism (Li, 2008), it is no longer morally or ethically acceptable to recruit unfree labour through such physically violent means.

³ According to the UNDP's 'rough estimates', the value of all unpaid reproductive labour at the prevailing wage would amount to \$16 trillion or about 70 percent of total world output (\$23 trillion). Of this \$11 trillion, almost 69 percent, represents women's work (UNDP, 1995; p.97).

Yet, Canada's commitment to neo-liberalism continues to require an abundant amount of reproductive unfree labour. Rather than recruiting a reproductive labour force through violent means, Canada is utilizing their immigration policy, in particular, the TFWP's LCP and SAWP, as a means to recruit women to perform Canada's unfree reproductive labour. Operating under the capitalist assumption that there is an endless supply of female unfree labour (Acker, 2004), Canada has tapped into the female labour supply of the Global South. The following section will illustrate how neo-liberal policies contribute to the global transfer of female unfree labour.

2.2 Global Transfer of Unfree Labour

Over the past 25 years, neo-liberalism has become the ideological driving force behind the global economy, devastatingly affecting the lives of women around the world. The ideology, which assumes that citizens will benefit from the implementation of policies and institutions such as privatization, deregulation, de-unionization, monetarism, labour market reform, trade and financial liberalization and the cutting of expenditures (Li, 2008), has in effect, resulted in the, "bleeding of social services, reduction of state governments... the ongoing liquidation of job security, the increasing elimination of decent social services, the creation of a society of low-skilled workers and the emergence of a culture of permanent insecurity and fear (Giroux, 2008, p. 7)." Above all, the ideological restructuring has functioned to secure the North's access to the endless supply of female unfree labour in the South.

Led by the United States of America (USA), the complex processes of neo-liberal restructuring have been described as an advanced stage of capitalism, which has placed

national economic prosperity as the pinnacle of success. Following the lead of the USA, many countries around the world have restructured their political and economic goals in order to increase their position in the global market (Delgado Wise and Marquez Covarrubias, 2008). McBride, McNutt and Williams (2007) maintain that neo-liberal restructuring includes four main characteristics: 1) free trade and openness of all markets; 2) the state should not be involved in economic activity and should rid themselves of state-run industries; 3) the country should diminish the assistance it gives its citizens, and 4) the state should not be involved in the regulation of labour.

The misconception, however, is that, if adhered to, these policies will successfully aid in the country's quest to increase their global comparative advantage. While this may be true, it has proven to be more accurate for the North than the South. Throughout the early stages of neo-liberalism in the 1980's, the economic success of the North was dependent upon the South for inexpensive land, resources and unfree labour. During this time, the North utilized the unfree labour of the South by outsourcing much of the manufacturing of cars, computers and clothing (Castles, 2006). With the North's continued economic expansion in the 2000's, the demand for unfree labour, which was utilized to build infrastructure, meet the labour demands of hospitals and the service industry, and provide caregiving and labour for food production (Castles, 2006; Sassen 2002). As a result, human labour has now become one of the most valuable resources in the neo-liberal market and millions of women have been forced to migrate.

These women are part of a transnational migration circuit, which originates in the migrant's home (sending) country in the South and flows to the host (receiving) country in the North (Reed, 2008). These flows are considered to be transnational in nature

because migrants live and work in the host country but remain citizens tied to their families and communities in their home country (Reed, 2008). Although the migrants may feel like they are moving to a random country, their pathway in the international circuit has been predetermined through an orchestrated chain of capitalist agreements between the home and host countries.

Governments in both the sending and receiving countries play an interconnected and active role in this transnational migration flow through bilateral agreements. The agreements can be formal, in which governments sign an official document agreeing upon the migrant flow, or an informal agreement in which immigration policies are utilized as a means to recruit migrants (Reed, 2008). While a home country encourages its citizens to migrate, the host country will open up its doors to migrants from that specific country, often offering incentives such as permanent residency. In any case, relationships between the host and home country regulate transnational migration circuits and ultimately determine where the migrant will work and what type of employment they will participate in based on their current economic situation (Reed, 2008).

With regards to the TFWP, Canada is a receiving country that has a formal agreement with Mexico (SAWP) (HRSDC, 2012) and in informal agreement with the Philippines (LCP) (CIC (d), 2010). These bilateral agreements economically benefit all countries involved by increasing profit, decreasing spending and ultimately putting the countries one step closer to increasing their national comparative advantage. Essentially, the bilateral agreements are a legal way that countries can engage or participate in the trade of human labor.

While Canada's bilateral agreements with Mexico and the Philippines have served to economically benefit all of the participating countries, it has been at the expense of the migrant women's exploitation. It is not by random chance that the majority of the women participating in the TFWP are from Mexico and the Philippines. Rather, these countries, both greatly affected by neo-liberal restructuring, actively participate in the exploitation of their women as a means to combat their growing debt. The following section attempts to illustrate how the economic and political situations in Mexico and the Philippines have forced women to enter the transnational migration circuit, as their only means to survive, only to be pushed into the modern institution of slavery in Canada.

2.3 Neo-liberalism: A Form of Force

Identified as the initial stages of neo-liberalism, the 1980s international debt crisis was followed by the rise of extreme debt in the South (Dobrowolsky, 2009; p. 1). The restructuring policies, implemented by the North as a means to 'fix' the problem, essentially functioned to exacerbate global inequalities, making the North richer and the South poorer. As a result, countries in the South were forced to adopt Structural Adjustment Programs (SAPs) (World Bank, 2005), eliminate multiple government subsidies to vulnerable or developmentally linked sectors (UNDP, 2005; Sassen, 2002), and were forced to adopt programs put forth by IMF as a means to combat the financial crises (Pyle and Ward, 2003).

The SAPs promoted deregulation within many of the debtor countries. Deregulation refers to the removal of government restrictions and other interventions in the economy and reorganization of bureaucracy (Alcid, 2003). Since deregulation

promotes both liberalization and privatization, a smaller amount of money was allocated to national spending and many governments could simply not afford to support their citizens or pay their national debt. In effect, these restructuring strategies pushed many countries in the South into insurmountable amounts of debt owed to the North (Sassen, 2002).⁴

Both Mexico and the Philippines were hit hard by the 1980s debt crisis and were swiftly prompted to implement SAPs (Binford, 2009). Over thirty years later, Mexico and the Philippines, the two countries that currently send the most female migrants to Canada, have still not recovered from the crisis. In Mexico, the effects of the SAPs were widespread and touched all industries; however, none more than the Agriculture sector (Foley, 1995). Encouraged by the SAPs, the government sold off state-run industries, privatized the rural banking system and dismantled state purchasing that provided support to small and medium-sized farmers. The state additionally subscribed to the General Agreement on Tariffs and Trade (GATT), amended the land reform provision and signed on to the North American Free Trade Agreement (NAFTA). The combination of these policies resulted in the reduction of government assistance to small farmers and a decline in producer prices (Binford, 2009).

Agricultural producers found themselves faced with foreign competition at the same time that prices were rising. And although commercial producers could shift to new crops and benefit from the depressed wages, independent farmers were left without

⁴ For further reading on the neo-liberal restructuring policies that have pushed Filipino and Mexican women into the global migration circuit, refer to Parrenas (2008) and Barndt (2002), respectively.

compensation or recourse in the new situation. Eventually foreign competition eliminated the niche that independent farmers occupied. Once dependent upon government inputs, such as crop insurance, cheap credit and a lenient attitude towards bad debt, Mexican farmers were left with nothing (Foley, 1995). These policies forced many farmers out of business, and left many people without a job or a livelihood (Binford, 2009).

The effects of the debt crisis were widespread throughout the South and when it hit the Philippines, the economy quickly began to shatter (Dohner and Intal, 1989). The country's level of foreign borrowing had been increasing, yet the domestic industry had not been producing enough revenue to make even the interest payments. In 1983, the country was unable to pay their \$24 billion foreign debt and the IMF and the World Bank began to implement SAPs (Pineda-Ofreneo, 1991). The SAPS implemented directly after the crisis helped to stabilize the economy; however, the portion of money that was traditionally allocated to the public sphere such as health care, education etc. was relocated towards the payment of foreign debt. At the time of the debt crisis, the finance minister declared that 80 percent of the debt was due to public enterprise (Pineda-Ofreneo, 1991). As a result, SAPs encouraged the government to take on a model of privatization and liberalization. In 1986, the World Bank lent the Philippines \$300 million in order to finance the market from public to private (Pineda-Ofreneo, 1991).

As government revenue in the South continued to fall due to overwhelming amounts of debt, both Mexico and the Philippines openly welcomed the establishment of international firms and transnational corporations, resulting in even fewer opportunities in traditional forms of profit-making and decreased opportunities for male employment in particular (Sassen, 2002). This forced a large number of women, who previously worked

within the home, to look for paid work outside of the home in the public sector. However, because SAPS promoted cuts in the social sphere such as education and training, women were limited to employment in the low-skilled sector (Pineda-Ofreneo, 1991). As a result, many women could not support themselves or their families.

Sassen (2002) contends that these conditions have contributed to increasing the importance of women finding alternative ways of making a profit and securing government revenue. The most profitable form of making money, which is promoted by many governments in the South, is for women to enter the global labour circuit, which ultimately forces women to migrate for economic reasons. While many women willingly enter the migration circuit, it is often their only option and the only way to support their family. Today, Mexico and the Philippines export more people each year than any other countries in the world.

According to the International Labour Organization (ILO), there is an estimated 10 to 11 million Mexican-born migrants living abroad, which is more than any other country in the world (Escobar Latapi and Janssen, 2006). It is further estimated that up to 5 million of these migrants participate in agricultural work (GCIM, 2005), with over 18,000 Mexican temporary migrants coming into Canada each year (CIC, 2010). While the majority of Mexicans living abroad are men, an increasing amount of them are women (Davis and Winters, 2001) as is evidenced by the increase of women in the SAWP.

Next to Mexico, the Philippines is the largest labour-exporting nation in the world. It is estimated that 7.29 million migrants are sent to over 180 countries around the

world, which makes up 10 percent of all Filipinos and five percent of the entire labour force (Alcid, 2000), the majority of the migrants being women engaged in domestic labour (Parrenas, 2006). Today, Filipinos make up over half of the labour migrants overseas with over 9,000 (CIC, 2010) entering into Canada through the LCP each year.

These women not only support their entire family, but also economically uphold the entire country. As such, labour exportation policies, promoted by both the governments of Mexico and the Philippines, have become a foundational feature of combating the countries' neo-liberal debt. Women's migration does this in two ways: first, by finding work in other countries, the unemployment rate in the home country declines; second, the remittances the migrants send back to their home countries increases the standard of living for their families, which alleviates the burden of infrastructure stresses from the government. The government can therefore use national money to pay off debt and rely on women's remittances for social welfare such as education, health care and water sanitation (Parrenas, 2006).

The remittances that transnational migrant women now send home make up the third largest source of foreign exchange. In 2006, Mexicans sent home an estimated \$25 billion (USD) in remittances, a staggering \$22 million per day, which supports an estimated 1.2 million people (Villarreal and Davy, 2007). Remittances have now become Mexico's second largest source of foreign exchange, only behind petroleum sales and even surpassing direct foreign investment. The \$25 billion makes up almost three percent of the country's GDP. Remittances sent home to Mexico have also helped to relieve the governments growing economic debt through organized hometown associations (HTA). Migrants living outside the country invest money into the communities from which they

originated and where they still have family living. The associations have invested in such community projects as road construction, ambulances, medical equipment, vehicles for social and/or non-profit purposes, and educational projects including scholarship programs, building of schools and school supplies (Balslev Clausen and Valazquez, 2007).

Filipino women also greatly contribute to their country. It is estimated that Filipino migrants have remitted over \$10 billion in recent years (Reed, 2010). Remittances make up 5% of the countries GNP and over \$50 billion in USD has circulated through the Philippines formal banking system (Reed, 2010). Remittances are not only sent directly to family members, but to organizations, communities and often the government. Remittances mainly go towards debt servicing rather than generating new jobs or enhancing social programs. The remittances that transnational migrant women now send home make up the third largest source of foreign exchange.

2.4 Conclusion

The unfree reproductive labour of women from the South has become an essential aspect of neo-liberalism in both the North and the South. While neo-liberal restructuring policies have forced women from their homes in the South, the same policies have attracted them to the North, only to be further exploited. Although it appears that female migrants have ultimately made the decision to migrate on their own, in reality, they had few other options but to migrate. It is therefore not a stretch to argue that capitalist expansion has economically forced women to migrate.

While the recruitment of slaves in the transatlantic slave trade is a clear of example of capitalism (Fox – Genevose, 1988), so too is the recruitment of temporary migrant women under the TFWP. There is no doubt that Canada has expanded the TFWP as a means to meet the demands of the expanding neo-liberal country, therefore tightly binding the motivations behind the expansion with the transatlantic slave trade.

Chapter 3. Canada's Immigration Policy and Unfree Reproductive Labour

3.0 Introduction

Present-day discussions regarding reproductive labour in Canada, largely ignore the labour sector's origins in slavery. However, the resonating impact that slavery has had upon reproductive labour and its regulating body, Canada's immigration policy, has been fundamentally detrimental (Calliste, 1996). Not only has the racist nature of slavery remained attached to the immigration policy, but so too have many of the upholding proponents of the slave trade. In order to fully understand how and why Canada's immigration policies enslave temporary migrant women today, it is necessary to recount the interconnected history of slavery and reproductive labour in Canada.

3.1 History of Canada's Temporary Immigration Policy

Although not widely documented or discussed, the institution of chattel slavery was part of Canada's early development (Cooper, 2007). Commencing with the British and French colonizers on land that was not yet called Canada, many Aboriginal women were stolen from their families and communities and enslaved for their reproductive unfree labour. These passive peoples were forced to perform unfree reproductive labour for the colonizers and ultimately became an essential feature of Canada's capitalist

expansion. As the Panis began to resist, however, colonizers turned to African slaves as a new source of labor (Elgersman, 1999).

The African slaves were a secure source of labour as the ownership over them was legally binding (Cooper, 2007). Many black slaves were put to work in industries that would eventually help Canada to expand their capitalist initiatives. These industries included the sectors of fishing, mining, land clearance, food production and domestic household work. Female slaves, however, primarily performed reproductive duties such as agricultural and domestic labour (Elgersman, 1999). Thus, the origin of both domestic and agricultural labour within Canada began in an unfree manner (Glenn, 1992; p.1)¹.

The origins of reproductive labour, having begun with slavery, left a long-lasting legacy of racism deeply rooted in notions surrounding reproductive labour in Canada (Simmons, 1998). These racist ideologies, which assigned, ‘purity to whiteness and sin to blackness’ penetrated deep into society. As a result, blacks were blatantly stigmatized as mentally, morally, socially and physically inferior (Simmons, 1998). Encompassed in all aspects of society, the racist notions filtered down into the immigration policy and restrictions were created along a racial hierarchy with Nordic, Alpine and Mediterranean peoples at the top and people of colour at the bottom or excluded from the policy altogether (Calliste, 1996).

Contemporary literature documenting the recruitment of reproductive labour in Canada regularly regards the 1955 Domestic Scheme as the first immigration policy to recruit migrant women for the purposes of reproductive labour (Lindstrom, 2003; Bakan

¹ While Glenn (1992; p. 1) was referring to the USA, it has also been the case within Canada.

and Stasilius, 1997; Arat Koc's, 1997). Agnes Calliste (1996), however, argues that this literature disregards reproductive labour's origin in slavery and maintains that the recruitment of reproductive labour in Canada actually occurred up to 45 years earlier. Rather, Calliste (1996) argues that the First Domestic Scheme transpired in 1910, when 100 Guadeloupian women were recruited into Canada for their reproductive labour skills.

In accordance with Calliste (1996), it is fundamental that both this thesis and the literature include this event as the 'First Domestic Scheme' as it marks the first time that the government of Canada placed restrictions on permanent settlement in Canada. Despite the economic benefits the migrant women brought to the country through the exploitation of their unfree labour, the presence of black women in Canada created racial tension between employers who wanted to employ them and the government who wanted to settle the nation as white (Calliste, 1996). To prevent black women from permanently settling in Canada, the government implemented an immigration policy that would place restrictions on the length of time that racialized people could stay in Canada. Therefore, Canada's first temporary migration program was initiated under racist parameters.

Not only did these racist policies inhibit black people from permanently settling in Canada, but the migrant's temporary status also served to economically benefit the country. Used to regulate the needs of the economy, the temporary migrant women provided a cheap, disposable source of labour that could be deported when they were no longer needed. This program, which was rooted in slavery and racist ideologies, remains as the basic structure of Canada's temporary foreign worker program today.

Enticed by better wages, Caribbean women continued to come to Canada despite the fact that they were not able to permanently settle (Calliste, 1989). Between 1922 and 1931, 74 percent of the 768 Caribbean blacks who immigrated to Canada came as domestic workers (Lindstrom, 2003). Since Canada preferred to employ white domestic workers, White European women were also recruited, albeit subject to very different immigration policies. Due to their ability to help settle the nation as white, their condition of slavery was only temporary, as they would be granted Canadian citizenship following the completion of their one-year term of indenturship (Lindstrom, 2003). White women, therefore, comprised the majority of migrants coming into Canada from the early 1900s to the mid-century (Calliste, 1989).

a) 1955 Domestic Scheme

By 1955, the stock of white women willing to migrate to Canada was dwindling and the country was faced with another shortage of domestic labour (Arat-Koc, 1997). To combat the shortage, Canada initiated the West Indian Domestic Scheme and once more began recruiting non-white women from the Caribbean. Like the First Domestic Scheme, the West Indian Domestic Scheme was also inherently racist and maintained the goal of preserving Canada as a white nation (Bakan and Stasilius, 1997).

Once again, black women were denied access to citizenship and were only given a temporary work visa to ensure they would not set roots in Canada (Calliste, 1996). As a requirement of their entry into the country, black migrant women had to prove that their employer had purchased them a two-way ticket – one ticket to come to Canada and one to go home. Following the completion of their contract, the migrant had to immediately use

their return ticket to leave the country (Preibsich and Binford, 2007). Like the Scheme before it, the West Indian Domestic Scheme created an expendable labour force that would allow non-whites into the country in times of labour expansion and kick them out during economic hardships (Macklin, 1992).

Although the 1955 domestic scheme initially began recruiting black women from the Caribbean, the prevailing racist ideology, which regarded Blacks as immoral, poor mothers, criminal and inferior, began to stigmatize the migrants and decreased the demand for their services (Calliste, 1989). Over the course of the next 20 years, the program gradually reduced the amount of black Caribbean women and replaced them with lighter skinned Filipinos. Since Blacks are socially constructed to be lower on the stratification ladder than Asians and have more negative stereotypes directed towards them, they are less likely to be chosen to participate in the employer driven TFWP (Sastewich, 1991; 191). In addition, Filipinos tend to be younger, speak English, share the same Christian faith as Canadian employers, and they are cheaper to employ and are considered to be more submissive; all traits that are valued among Canadian employers.

b) Seasonal Agricultural Worker Program

In 1966, the Canadian government implemented the Seasonal Agricultural Worker Program and again began recruiting black migrants from the Caribbean (Verma, 2003). The government initially signed a bilateral agreement with Jamaica and then the rest of the Caribbean nations including Barbados, Trinidad and Tobago, and the Eastern Caribbean States of Dominica, Grenada, St. Kitts/Nevis, St. Lucia and St. Vincent and the Grenadines (Verma, 2003). Over the following 20 years, men from the Caribbean

constituted the majority of the migrants in the program. Like their female counterparts in the domestic scheme, the men were only granted a temporary legal status as a means to prevent them from permanently settling in the country.

In 1974, Mexico signed onto the agreement and the first 195 Mexicans came to Canada (Saztewich, 2007; p.256). Over the next 13 years the amount of Mexicans in the program steadily grew while the amount of Caribbeans slowly decreased due to blatant racism. Canadian employers preferred to hire Mexican workers because they were closer in appearance to their Canadian workers, in which it was thought to please the greater community as well as their own workplace environment (Preibisch and Binford, 2007). It was not until 1989, over 20 years after the initiation of the program, that the first woman participated. And although Mexicans now make up 51 percent of participants in the SAWP, only 4 percent are women (Preibisch and Binford, 2007).

3.2 Recruiting Unfree Labour Today: The Temporary Foreign Worker Program

The Temporary Foreign Worker Program (TFWP) as we know it today was first introduced in 1973 as the Non-Immigrant Employment Authorization Program (NIEAP) (Sharma, 2006). Evidently initiated as a means to address short-term or regional labour and skill shortages, the program is an umbrella label for various national programs known collectively as the TFWP. Although it is now under the guise of a new name, the TFWP remains to be governed by the same patriarchal, racist and sexist ideologies that upheld the previous temporary migrant recruitment schemes and continues to provide a

disposable, flexible and reliable labour force to sectors in which other Canadians are not willing to enter.

The TFWP encompasses five programs: High-Skilled Occupations, Low-Skilled Occupations, the Seasonal Agricultural Worker Program, the Live-in Caregiver Program, and the Provincial Nominee Program². While all five programs play a large part in the recruitment of the temporary migrants, the majority of female migrants entering into Canada over the period of study have done so through the Live-In Caregiver Program and the Seasonal Agricultural Program (CIC, 2009).³ As such, this study focuses primarily on these two programs, both of which are designed to recruit reproductive labour.

The basic structure of the LCP and the SAWP are very similar in nature as they both require that a number of conditions be met before the migrants are admitted into the country. Employers must first demonstrate to the Human Resources and Skills Development Canada (HRSDC) and Citizenship and Immigration Canada (CIC) that they have made an attempt to hire a Canadian employee. If their efforts are found to be valid, the employer can apply to the HRSDC for a Labour Market Opinion (LMO) to be

² Each category has a different combination of rules applying to them which include: eligibility, need for labour market opinion, whether work permits are open or restricted, the role of the employer, whether family members can accompany, whether medical screening is required, and whether there is a possibility of transitioning to permanent residence; some of the combinations of which greatly function to hinder the migrant's access to freedom within the country.

³ In 2010, the highest amount of foreign workers came from the United States (34, 814), followed by Mexico (18,011), France (17,129), Australia (10,558), and the Philippines (9737) (CIC, 2010). In 2010, female workers, students and refugees made up 23.1%, 30.1%, and refugees 20% respectively (CIC, 2010). While all streams of the TFWP deny its participants access to permanent residency, the temporary status does not affect all of the participants equally. I have chosen to focus on women in the LCP and the SAWP because as racialized women from economically depressed countries in the Global South, they lack many of the opportunities that foreign workers from Europe and students are afforded.

performed. The LMO assesses the impact that the foreign worker would have on the Canadian labour market, essentially assessing whether the migrants' offer of employment would affect Canadian jobs. If the LMO indicates that there is a shortage of labour in either the agricultural or caregiving sectors, migrants in either the LCP or the SAWP can be given a temporary work permit.

The temporary work permit is employer and time specific, meaning that the employer submits a request for a worker and the federal government provides the labour market evaluation and the legal documentation for the migrant's temporary work permit. Once the migrant is in Canada, he or she is subject to the provincial employment standards, which are different for each province (Reed, 2008).

a) Seasonal Agricultural Worker Program

Although initially implemented as a means to help fulfill 'labour shortages' in Canada's fruit and vegetable industries, the SAWP now functions as the horticulture industry's primary labour recruitment program (CIC, 2010). Like the reproductive labour recruitment programs before it, temporary migrants in the SAWP are never able to apply for permanent residency in Canada (Fairey et al., 2008). And despite the fact that they may spend over half of their lives living, working and economically contributing to Canada, migrants participating in the SAWP are never able to enjoy the rights and freedoms that other Canadians are afforded.

The SAWP was one of the first programs to be categorized as a Temporary Foreign Worker Program and now operates across Canada. While the workers are stationed in 9 of the 10 provinces, the majority of the migrants go to Ontario (54 percent),

Quebec (20 percent) and B.C. (19 percent) (Becerell- Quintana, 2011). The migrants are primarily employed in greenhouses, and tobacco, vegetable and fruit fields; however, a smaller proportion of the workers are employed in packing and canning plants in the rural areas of Canada (Basok, 2002).⁴

The SAWP is continually expanding and now recruits over 28,000 migrants annually, with an increasing amount being women (CIC, 2009). While women in the program make up only four percent of the participants, this number is constantly increasing. Out of the 609 women that participated in 2010, 75 percent are from Mexico and the remaining participants are from Jamaica, Barbados, and Trinidad and Tobago (Preibish and Grez, 2010). Women are primarily employed in the Leamington area of Ontario where they work in the tomato industry (Becerril-Quintana, 2011).

The regulatory framework of the program requires that several conditions be met before migrants are admitted into the country. It is the combination of the following requirements provided by Preibisch and Grez (2010) that inhibit women from entering into the program and ultimately keeps the number of women in the program to a minimum. First, the applicant must have some agricultural experience. Those applicants with the least access to land, work and lowest levels of education have the best chance of being selected as the program is meant to help those who are unable to find work in Mexico. Second, the applicant must be the head of the household. However, due to the strong gender roles in Mexican culture, which place men at the head of the household,

⁴ In Ontario, the SAWP is administered by Foreign Agricultural Resource Management Services (FARMS), an agency that represents grower organizations as well as government agencies.

this requirement limits the amount of women eligible for participation. Since women only become the head of the household when they are widowed, single or divorced, the majority of women participating in the program are divorcees and single mothers. Third, the applicant must travel to Mexico City to complete the necessary health checks and paper work. In view of the fact that it is dangerous and costly for women to travel to Mexico City from their home town, women are less likely to receive a travel visa (Preibisch and Grez, 2010).

If a woman does manage to beat the odds by meeting the SAWPs entrance conditions, Canadian employers are initially required to pay for the workers' travel and visa expenses and workers are expected to work off this loan during their work term in Canada. Once migrants arrive in Canada, they may work from four to eight months and from 10-12 hours per day (HRSDC, 2009). The employer is required to provide them with free housing and all of the amenities needed to live such as bedding and kitchen utensils. The employer is also required to ensure that the migrants are enrolled in the provincial health insurance plan and Employment Insurance (Human Resources and Skills Development Canada (HRSDC, 2009). At the end of each season, employers provide each worker with an employee evaluation (HRSDC, 2009). Since employers choose the migrants, these evaluations play a large part in deciding whether the worker will come back to that farm in the following years. As a result migrants often end up submitting to the employer's exploitative requests so they will be hired back the following year.

b) Live-in Caregiver Program (LCP)

The LCP was initially implemented as a means to fulfill the ‘labour shortages’ in the caregiving industry and has virtually become Canada’s solution to caregiving in Canada. Over recent years, the program has come to replace Canada’s government caregiving programs, offering Canadian families the opportunity to privately hire live-in caregivers for their children, elderly parents or family members with disabilities. Primarily coming from the Philippines (75 percent), the majority of the migrants recruited through the program are women (84 percent) (CIC, 2009).

While the recruitment of migrants in the SAWP is executed through intergovernmental agencies, the recruitment process for the LCP is usually performed through privatized recruitment agencies (CIC (d), 2010). Facilitated by the agency, employers can make an offer of employment to a caregiver. Numerous conditions must be met by caregivers before they are permitted a temporary work visa. However, these conditions have only come about within the past decade and will be further discussed in chapter six. When the official job offer is made, the caregiver herself is responsible for applying to CIC for a temporary work permit.

Once the worker is hired, the employer is also required to fulfill a number of conditions including: sign a contract containing the caregiver’s expected duties, provide a monthly or bi-weekly paycheque that lists salary deductions, and to provide room and board in their own house. Under the rules of the program, caregivers are limited to taking care of the child and are only required to carry out light household duties. Specifically, they are not required to perform any duties above and beyond these tasks (Brickner and Straehle, 2010).

Although the LCP is categorized under the TFWP, migrants in the LCP are permitted to apply for permanent residency, which sets the program apart from all other programs in the TFWP including the SAWP. Following the completion of their contractual period of 24 months in Canada, women in the LCP are able to apply for permanent residency (Cheung, 2004).⁵ Although the minimum requirements for the completion of their work term with one employer requires migrants to work a minimum of 24 months or 3900 hours, the temporary status may last up to five years by the time the paper work has gone through.

Permanent residency offers the migrants the right to work, the right to circulate freely throughout the country, access to social, health and educational services, protection under the *Canadian Charter of Rights and Freedoms* and the right to sponsor the immigration of family members still living abroad. As such, many migrant women are willing to endure the temporary enslavement as a means to access permanent residency in Canada, so that they may eventually enjoy many of the citizenship rights and benefits that other Canadians are afforded. Those with permanent residency can eventually apply for citizenship in which the migrants officially become Canadian citizens.

Due to the access to permanent residency, the popularity of the program has dramatically increased over the past decade. In the year 2000, the CIC only issued 5942 permits. Only two years later, the CIC issued 10,148 permits and by 2006, 21,489 caregiver work permits were issued (DePatie-Pellatier, 2008). Since the program is

⁵ Women in the LCP were granted this right in 1981. After much deliberation and contestation from women within the program, Canada altered the policy and created the Foreign Domestic Movement (FDM) (Macklin, 1992; p.692).

employer driven, the increase is in part due to the increased demand for live-in caregivers over the past decade.

3.3 Conclusion

Much literature has disregarded slavery in the current analyses of Canada's recruitment of unfree reproductive labour. However, when slavery is included within this analysis, a variety of things become apparent. First, slavery is at the root of the recruitment of reproductive labour in Canada. Second, the origins of temporary legal status are racist in nature. Third, Canada's current immigration policies regarding temporary migration barely differ from the nation's first immigration policies that were blatantly racist and outright exploitative of the migrants for national economic profit. In essence, temporary migrant women and female transatlantic slaves share in the fact that they were both unfairly recruited and exploited for their unfree reproductive labour.

Chapter 4: Temporary Migrant Labourers: Modern-Day Slaves

4.0 Introduction

The institution of slavery in Canada has been abolished for almost 200 years¹. During this time, it has become a commonly accepted view that slavery no longer exists and is therefore no longer a problem within our society. Despite the prevalence of this belief, the institution of slavery is actually spreading, with more people enmeshed in relationships of slavery than ever before. While the International Labour Organization (ILO) (Beate and Belsar, 2009) modestly claims that there are over 12 million slaves in existence today, Kevin Bales, approximates the number to be well over 27 million (Bales, 2008).

In accordance with the above estimates, there has been a recent resurgence of the topic of slavery within scholarly works and popular media, with many authors claiming that migrants have become a modern-day version of slaves (George, 2007; Hlinka, 2009; Bales, 2008; Appiah and Bunzle, 2008, Van Der Anker, 2004; Anderson, 2009). Despite this, there is a paucity of scholarly research that considers whether the position of

¹ Canada was the first of the British territories to implement an act against slavery. The Act of 1793, implemented by Lieutenant-Governor John Graves Simcoe, did not function to free the slaves, but rather prevented their importation and freed the future children of the slaves. The act remained enforced until it was replaced by the Act of 1833, prohibiting slavery in all British territories (Parks Canada, 2007)

temporary migrants in Canada might also constitute a form of slavery. While some researchers including Basok (2002, 2008), Preibisch (2007) and Sharma (2006) have addressed the fact that temporary migrants are engaging in unfree labour, they have not gone so far as to claim that these migrants are being enslaved. However, as mentioned above, I do feel that it is important to refer to the abuse and exploitation that temporary migrants are subjected to as a modern-day form of slavery. In doing so, I do not wish to diminish the atrocities of the transatlantic slave trade, but rather point to the very serious abuses and exploitation that temporary migrant women are currently subjected to a modern version of the problem.

While there are apparent differences between traditional and contemporary forms of slavery, the two share enough similarities to parallel (Van Der Anker, 2004). As society has already deemed the institution of slavery as an unethical and immoral institution, to conclude that temporary migrants are being enslaved will also point to the unjust conditions that temporary migrants are subjected to. The goal of this research is to point out the fact that the expansion of the TFWP has been at the expense of temporary migrant women and should therefore be halted until further examination.

4.1 Defining Modern Slavery

Throughout history there have been many definitions of slavery. The word slave is derived from the Old French *esclae* and Medieval Latin “*sclavus*”, referring to the “Slavic Peoples”, who were frequently conquered and enslaved during the middle ages (Chenevix, 1887). The UN Slavery Convention of 1927 however, defines slavery as, “the status or condition of a person over whom any or all of the power attaching to the right of

ownership are exercised.” This definition was originally presented to combat and describe chattel slavery in which both slaves and their labour power were considered to be the private property of their owner. However, the definition, which has been relegated as a historical term, does not function to successfully depict the extent of characteristics possessed by individuals bound to the modern form of slavery, as many slaves today are not owned as private property. It is therefore maintained that the defining distinctive feature that separates modern from traditional forms of slavery is the lack of legal ownership within the master–slave relationship (Brass, 1997).

Within Marxist theory, individuals bound to the traditional form of slavery, such as chattel slaves, were considered to be the private property of the employer (Brass, 1999). The employer not only had control over the slave’s labour power, but of the slave’s entire being. It was, therefore, not only the labour power of the individual that was commodified, but the individual herself that became the commodity, to be traded on the market at the employer’s will. Conversely, within modern slavery, the slave is not owned as private property and thus cannot themselves be traded on the free market. Rather the slave becomes divorced from their labour power and it is their labour power that becomes commodified, not the individual. Although the employer does not have ownership over the slave such as in traditional forms of slavery, the labour power of the

individual belongs to the employer to commodify and control as they wish (Miles, 1987)².

Despite the fact that traditional and modern forms of slavery are diversely subjected to varying degrees of ownership and thus commodification, both forms of slavery are perpetuating forms of unfree labour as defined by Marx (Brass, 1999; Miles, 1987). They are unfree in the sense that they: (1) lack the ability to freely enter and exit the labour market, (2) cannot choose their own employer and the conditions under which they live and labour, and (3) are denied freedom of movement, either by force or by threat. It is thus maintained that these fundamental similarities are too vast to simply let the differences prevail.

If we therefore broaden the definition of slavery from a focus on the condition of property, to include all those forms of labour that are unfree, forms of slavery begin to manifest themselves in a multitude of modern-day employment relations. Using the Marxist conception of unfree labour, M.L. Bush (2000) has categorized the different forms of unfree labour as: slavery, serfdom, indentured servitude, debt bondage, and penal servitude.

- **Chattel Slavery** is the traditional form of unfree labour in which slaves are considered to be the property of their employer; they are owned as a commodity. The UN 1926 Slavery Convention states that, “slavery is the status or condition of a person over whom any or all of the power attaching to the right of ownership are exercised.”

² See also Brass and van der Linden (1999, p.59) in which they adequately sum up this point, ‘the person of the slave is the subject of an economic transaction while in the case of bonded, convict, contract or indentured labourers, it is the latter’s labour power which is bought, sold and controlled without the consent of the owner.’

- **Serfdom** as defined by the 1956 Slavery Convention is “the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status.”
- **Indentured servitude** is the condition in which a worker submits in a written contract to work exclusively for a particular employer for a definite period of time. Included within indentured servitude, is that in which a contract is signed as part of an apprenticeship into a trade (Bush, 2000).
- **Debt bondage** is the, “condition which arises from a pledge by a debtor, of his personal services or of those of a person under his control for the security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debtor the length and nature of those services are not respectively limited and defined” (UN convention on slavery, 1956).
- **Penal servitude** is the condition in which an individual is convicted of a crime within society and as a result becomes the property of the state (Bush, 2000).

The above categories of enslavement are constituted as such because they are all defined by numerous degrees of unfreedom. Taking this into account, it will be argued that the modern definition of slavery can be defined by four feature characteristics.³ Under this definition, a slave is: (1) forced to work through mental or physical threat, (2) owned or controlled by an employer, usually through economic, mental or physical abuse or threatened abuse, (3) dehumanized; treated as a commodity or bought and sold as property and (4) physically constrained or has restrictions placed on his or her freedom of movement (Anti-Slavery International, 2009) (5) is legitimized by racism.

³ While not all migrants in the TFWP are subjected to physical coercion, the policies within the TFWP can lead to physical abuse. Migrants in the SAWP have reported working long hours without being allowed to take breaks (Otero and Preibisch, 2009), prolonged exposure to heat and sun (Basok, 2002; 60), exposure to hazardous conditions causing injuring (Otero and Preibisch, 2009), unsafe transportation (Hennerby, Preibisch and McLaughlin, 2009) and exposure to dangerous chemicals such as fertilizers and pesticides (Basok, 2002).

Bales (2005) has outlined different situations in which an individual may be involved in one or more forms of unfree labour.⁴ Among these conditions is the category of: *temporary migrant worker*. Canada's TFWP stands as a specific example of temporary migrant workers bound to unfree labour conditions. Temporary migrants entering into Canada today may be categorized under not only one of the above forms of unfree labour, but in many cases temporary migrants can be simultaneously classified within three categories including: serfdom, indentured servitude and debt bondage. It is argued that temporary migrants are periodically subjected to *all* of the above unfreedoms outlined within the definition of modern slavery and can therefore be considered modern slaves.

4.2. Slavery in Canada? Temporary Legal Status

The enslavement of migrants in the TFWP is in large part due to the temporary legal status that is bestowed upon them as a condition of their entry into the country. In addition to inhibiting people of colour from settling in Canada, the temporary legal status subjects migrants to a different set of laws than all other Canadians and permanent residents. This differential set of rules not only functions to legitimize the government's involvement in their enslavement but allows the government to legally discriminate based on migratory status. Essentially, the migrant's non-citizenship status allows Canada to

⁴ Bales complete list of occupations includes: slavery, forced labour, debt bondage, child prostitution, forced prostitution, sexual slavery, migrant workers prostitutes, forced marriage, apartheid, incest, organ harvesting, caste and prison labour and migrant labourers (Bales, 2005; p.58).

legally and practically avoid any and all responsibility regarding migrants and their well-being.

Although temporary migrants live, work and pay taxes in Canada, they are denied the rights to: choose their employer, choose where to live, change jobs or occupations, remain permanently in Canada, gain access to public goods available to permanent residents such as health care and education, and the right to sponsor family members to immigrate to Canada (Goldring, 2010). The division of rights between temporary and permanent residents has created a hierarchical divide between the two statuses. This two-tiered division directly implies that temporary migrants are not deserving of the same treatment and rights as their Canadian counterparts (Goldring, 2010). The hierarchical divide is further supported by the government through a variety of social programs that help permanent residents to successfully transition into Canada and the Canadian economy.

Unlike temporary migrants, permanent residents are granted access to numerous government-funded settlement programs, which provide them with the necessary tools for a successful life in Canada (Canadian House of Commons, 2003). In “recognizing the importance of immigration and settlement services,” CIC has outlined six streams of the settlement program, which are fundamental to successful immigration. These include: needs assessments and referrals, information and awareness services, language learning and skills development, employment-related services, community connections and support services (Canadian House of Commons, 2003; CIC, 2004; CIC (a), 2010). In addition to the above services, the Canadian government also offers permanent residents access to health care, subsidized education and Canadian job experience. Permanent

residency therefore offers migrants access to the citizenship rights necessary to achieve a 'successful' life in Canada (CIC, 2004).

Although it is clear that the federal government of Canada finds these programs necessary for a successful integration into Canada, the government has simultaneously denied temporary migrant workers access to these programs. It is argued that Canada has purposefully denied the migrants' access to citizenship as a means to trap them in the unfree reproductive labour sphere. Without access to citizenship rights migrants are unable to move within the market, which renders them vulnerable to abuses.

4.3 Mechanisms of Control

Historical slave literature illustrates that temporary migrants are actually not the first group of unfree labourers to be denied access to citizenship rights. In fact, slaves in the transatlantic slave trade were also restricted from obtaining any access to these rights. In his seminal work entitled, 'Slavery and Social Death', Orlando Patterson (1982) argues that the denial of citizenship rights is an essential feature of maintaining any unfree workforce. Since the slave driver had citizenship status, and the slave did not, an unequal power dynamic occurred, making it easier for the employer to exploit the slave. To retain their power over the slaves, capitalist slaveholders instituted mechanisms of social control, which became an essential feature of the institution. Defined as the process by which deviance is eliminated, reduced or rendered harmless to the system, mechanisms of social control were instituted through slave laws (Durant and Knottnerus, 1999).

Borrowing from the transatlantic slave trade, Canada has also instituted mechanisms of control as a means to maintain the migrants' enslaved conditions. The policies of the TFWP promote employers to utilize some of the same mechanisms of control that were used during the slave trade. These mechanisms of control include the total institution, employing a paternalistic behaviour and a threat of punishment. The total institution is described as the process whereby slaveholders took total control over the slaves by integrating their working, living and recreational activities into one system (Goffman, 1969). Made to live with or near their master, the total institution prevented slaves from revolting by minimizing interaction with outside society. Paternalism is described as a marked tendency among the powerful to treat the less powerful in affectionate but patronizing ways (Jackman, 1994). And finally, the threat of punishment is the process of coercing the slaves to perform exploitative activities through the threat of punishment.

a) Total Institution

The policies of both the SAWP and the LCP require that migrants live and labour on the same land as their employer. Although migrants in the LCP are required to live with their employers, migrants in the SAWP merely have to live near their employer. Nevertheless, the migrants' working, living and recreational activities are integrated into one system, resulting in a total institution. Ultimately, the total institution makes it easier to control the migrants and enables the employer to coerce the migrants into exceeding the agreed upon work constraints, thereby increasing profits (Goffman, 1969).

The total institution prevents migrants from protesting their enslaved conditions by minimizing interaction with outside society. Although migrants are not isolated with blockades and large walls, their demanding work schedules and formal house/farm rules combine to create a very distinct barrier (Durant, 1999). For migrants in the LCP, the isolation is largely a result of being confined to her place of work, which is also her home. In addition, working overtime, often the reality for many women, leaves migrants no time to meet friends outside of the home or participate in the outside community (Daenzer, 1997). For migrants in the SAWP, whom are primarily housed on farms removed from major cities and towns, leaving the farm becomes a very difficult task. Although the SAWP requires that the employer provide access to transportation to the nearest centre, this agreement is often not fulfilled (Fairey et al., 2008). As such, migrants are even rarely able to participate in cultural events and community gatherings or even gain a sense of control by purchasing their own food.

The structure of the total institution allows for the employer to almost always observe or watch the migrant. Under constant surveillance by their employer, migrants often feel pressure to work longer days and often work the entire day without a break. The terms of both the LCP and the Mexican Employment Agreement (MEA),⁵ indicate that the average minimum workweek shall be 40 hours; a normal workday is not to exceed eight hours of work or more than six consecutive days of work, without a one-day break; yet, migrants often feel pressured to work longer hours. Since there are no

⁵ The Mexican Employment Agreement (MEA) is a formal bilateral agreement signed between the Canadian and Mexican governments, which facilitates the flow of temporary migrants from Mexico to Canada.

mechanisms in place to ensure compliance of the agreement, provisions are often not adhered to and migrants end up working longer hours, not getting paid for overtime or public holidays, and are not granted rest periods during their 10 hour days (Fairy et al., 2008).

As the program is employer-driven and consists primarily of men, these harsh working conditions are often exacerbated for women. To impress their employer enough to make them want to hire them the following year, women's labour and living performance must stand out above their male counterparts. As such, women are under constant competition with their male counterparts in an attempt to outperform their co-workers, regularly work to up to 18 hours a day, seven days a week, all without being compensated for overtime, nor receiving regular breaks. Often subject to a higher degree of surveillance, women in the SAWP face relatively greater restrictions with regards to their mobility. More often than not women are restricted to the times and days they are able to leave the farm, their visitors and friends are monitored and they often denied the right to leave the farm altogether (Fairey et al., 2008).

For women in the LCP who live with their employer, the situation is slightly different as the lines between private and public life become blurred and the migrant is expected to be like one of the family, yet act like an employee at the same time (Anderson, 2000). As such, the migrants are susceptible to exploitation through the redefinition of work obligations within the family. Due to the fact that the family ideology requires sacrifices such as time, privacy, energy, and so on, the domestic worker is expected to embody this and become part of the family (Bakan and Stasilius, 1997). As a result, workers may be subject to unpaid work time, excessive overtime, no free

personal time, violation of privacy, greater dependency on the employer and sexual assault. Many migrant women work from the moment they wake up in the morning until they go to bed at night, making a typical work week anywhere from 49 – 70 hours (Anderson, 2002).

b) Paternalistic Relationship

The power and control that employers gain from the structure of the total institution leads directly to a paternalistic/maternalistic relationship between the employer and the migrant. Forced to depend on their employer for housing, food, transportation and permission to leave the premises,⁶ the paternalistic relationship begins almost as soon as the migrants enter Canada.

Since many migrants in the SAWP are unable to speak English, the paternalistic relationship is often pronounced, as they are forced to rely on the employer for translation, filling out forms, communications, and day-to-day living requirements. In addition to the paternalistic behaviours that are required by the SAWP, employers may often engage in additional paternalistic behaviour, providing the migrants with: credit, subsidized transportation, sponsorship of festivities, personal favours and rewards, coverage of medical expenses, and visits to the migrants in their home country (Barndt, 2002).

Since the majority of employers in the LCP are women, maternalism is a more appropriate word to use when referring to the relationship between migrants and

⁶ Slaves were also denied the freedom of movement, which was prohibited by law. All those slaves wanting to venture off their home plantations were required to have passes of permission written out by their master (Morris, 1995; p.174).

employers in the LCP (Romero, 1992). Employers in the LCP may exhibit materialistic behaviour in a variety of different forms including, but not limited to: gift giving, giving of hand-me-down clothing, vacation (of which they are still required to work) and days off (but rarely equivalent to the overtime hours they are expected to work) (Oxman Martinez et al., 2004). The employer's acts of kindness, however, are expected to be returned with the migrant's indisputable loyalty to the employer and their unquestionable exploitation.

The paternalistic /maternalistic relationship fosters unequal power relations of superordinate–subordinate relations between the employer and employee. The employer may offer protection and nurturing to the employee; however, this behaviour may function to insult the employee, as paternalism/maternalism may be expressed in a variety of ways, including adult to child and human to pet, but not often human to human caring. The parenting behaviour of the employer clearly expresses her lack of respect for the migrant as an autonomous employee (Bakan and Stasilius, 1997).

In view of the fact that the migrants are dependent upon the employer for everything including their right to be in Canada, the migrants will go to great lengths to not displease their boss and avoid termination. For migrant women in the SAWP, the paternalistic relationship is exaggerated by the fact that there are so few women participating in the programs, and they are less likely to be hired back. Extending their paternalistic authority and influence beyond the workplace, employers often establish 'farm rules', frequently having the most detrimental effects upon women (Barndt, 2002). These rules often include curfews and prohibiting visitors on the farm, particularly those of the opposite sex. In some cases, the farm employers discourage migrant workers from

engaging in social activities outside of work. Workers, particularly women, who return home too late or who receive late visitors, risk earning the disapproval of their employer, who believes that such activities might exhaust the worker and make it difficult for him or her to work well the next morning. Furthermore, it is thought that the high amount of unrecorded rapes and sexual assault on the many farms may also be part of this paternalistic behaviour (Barndt, 2002).

c) Threat of Punishment

Although physical punishment was widely practiced during the slave trade, Bush (1990) claims that the necessity of physical punishment only occurs in slave societies, in which there are a higher percentage of slaves than the ruling class. On the contrary, Bush (1990) maintains that in societies containing fewer slaves than masters, punishment may still exist, albeit in other forms. In Canada's modern institution of slavery, which definitely contains fewer slaves than masters, punishment or the threat of punishment does exist; however, it is exercised through non-violent punishment or the threat of deportation. As a condition of their entry into the country, migrant women are forced to give up any access to the citizenship rights that Canadians enjoy, leaving the migrants in unfree conditions and open to exploitation by their employers.

Through the migrant's temporary legal status, employers are afforded the power to legally exploit without hindrance. As they have no other alternatives, migrants become confined to their unfree labour conditions and can be legally punished with deportation if they attempt to resist (Kolchin, 1987; Patterson, 1982; Moitt, 2001; Bush, 1990). As non-citizens, temporary migrants are not only denied the right to gather and unionize, but if

they attempt to complain about their unfree conditions or resist through other means, they risk being deported. As the majority of temporary migrant women are the primary wage earners in their family (Barndt, 2002; Preibisch and Grez, 2010), and make just enough money to provide housing and security for their families, most migrant women will not complain or resist and risk their deportation as numerous people are counting on their wage for their livelihood (Barndt, 2002).

Preibisch and Grez (2010) have argued that the threat of deportation has become an effective mechanism of control, independent of its actual exercise. Previous research has shown that migrants have been deported for becoming injured or sick, refusing unsafe work, raising complaints, challenging abuses or becoming pregnant (Basok, 2007; Preibisch and Grez, 2010). By making many of the migrant women complicit to their unfree conditions, this fear of punishment or deportation, made possible through the migrants' non-citizen status, maintains the entire unfree labour force.

4.4 Chapter Summary

Women participating in the TFWP can indeed be considered modern-day slaves. Not only are temporary migrant women subjected to many of the same exploitative measures that women in the slave trade were subjected to, but there is also evidence to suggest that a very similar set of mechanisms of control have been executed. Despite the fact that the government is well aware that migrant women are subjected to these atrocities, they have continually failed to address gaps in the immigration policy. This would suggest that the government has not only neglected to address these policy gaps

but has deliberately attempted to enslave these women as a means to exploit them for their unfree reproductive labour.

Chapter 5: Canada's Shifting Immigration Policies

“We are now trying for liberty that requires no blood – that women shall have their rights, not rights from you. Give them what belongs to them.” – *Sojourner Truth* (Washington, 2009, p.334)

5.0 Introduction

Sojourner Truth, one of the most influential women in the abolition of the transatlantic slave trade and an advocate of women's rights, spent her life speaking out against the laws and policies that kept non-white, unfree labourers, in particular women, enslaved. Fighting against the patriarchal norms of society, Sojourner fought for the freedom of these women and proclaimed that all people were equal and deserved equal access to rights and freedoms, regardless of their race, gender and ethnicity.

Additional research on slave literature proves Truth's efforts to be accurately directed, as legal policy played a fundamental role in creating, maintaining and justifying the transatlantic slave trade (Patterson, 1982; Archer, 1988; Bush, 1990). Initially implemented as a means to legitimize the slave trade at an institutional level (Bush, 1990, p. 26), the slave laws not only provided employers with easy access to unfree labour, but also functioned to protect the power and freedom of the ruling class while simultaneously preventing the slaves from accessing freedom (Patterson, 1982, p. 197).

If the TFWP is indeed enslaving temporary migrant women, as it has been argued throughout this thesis, then it becomes fundamental to analyze the law that is upholding the institution of slavery. The numerous changes made to the policy over the past decade suggest that Canada has made an extreme effort to maintain the migrants' conditions of enslavement. Since the year 2000, Canada has vocally been shifting the focus of its policy from a mandate, which has previously focused on permanent residency and family reunification, to one which now aims "to pursue the maximum economic benefit of immigration" and "supports the development of a strong and prosperous Canadian economy," through the increased recruitment of temporary migrants (Bill C-11¹, 2001). Evidence of the government's commitment to the new policy is clearly illustrated in Fig. 1, which shows a dramatic increase in the amount of migrants being recruited into the country from only 186,798 in 2001 to a staggering 432,682 in 2010 (CIC (c), 2010), while the amount of permanent residents recruited has remained stagnant; in some years has even shown a decrease. In addition, women's participation in the program increased from 57,382 in 2001 to 181,499 in 2010 (Figure 1), now representing 43 percent of all temporary foreign migrants, a much greater increase than their male counterparts.

Many of the changes made to the immigration policy deliberately place temporary migrant women in situations of modern-day slavery. As such, the policy changes have often been implemented behind closed doors. This chapter attempts to document the policy changes that have occurred over the past decade, hoping to tell an orchestrated

¹ Bill C-11 is the Immigration and Refugee Protection Act which is an Act regarding immigration to Canada and the granting of refugee protection to persons who are displaced, persecuted or in danger.

story of how the federal government is, and has been, purposefully increasing the amount of female temporary migrants as a means to exploit their unfree reproductive labour. The second section of the chapter critically analyzes the changes made to a series of policies and bills. Finally, the third section illustrates how the government has spent the latter part of the decade persuading employers to hire temporary migrants with the intention of exploiting the cheap, flexible and expendable labour force to ensure the maximum comparative advantage. In essence, it is argued that the federal government has chosen economic prosperity over human rights. Like Sojourner Truth so powerfully claimed, ‘the truth is powerful’ (Washington, 2009, p.272) and it will prevail.

5.1 Policy Changes: Bill C-11

It is the temporary legal status bestowed upon women in the TFWP that functions to validate their exploitation. As temporary migrants, these women are not subject to Canada’s labour laws and as such have no access to the resources or protection that these laws offer. Although the government claims to have policies in place to protect the migrants, the policies continually seem to fall short, leaving room for employers to exploit the workers. That is to say that, on paper, it appears that the policies are set up to protect the migrants from exploitation and abuse, but in reality the policies do not sustain the goals they set out to achieve. Rather, it appears that the government has employed the temporary legal status upon migrant women to ensure the migrant’s exploitation.

Clearly, to prolong the migrant women’s temporary status would bring economic benefits to Canada and its employers, as it would also prolong the period of time upon which the migrants can participate in the exploitable labour force. With the intent of

prolonging the migrant's temporary status, the government implemented a new Immigration and Refugee Protection Act. Bill C-11² marks the starting point for the series of changes within the immigration policy as it replaced the previous Bill C-31 and marked the nation's first attempt at expanding the temporary migration program (Sharma, 2001). Under the new regulations of the IRPA, the government employed a host of new requirements, which force women in the LCP to accept unfree conditions as a condition of their entry into the country³, thereby ensuring the legality of the migrant's temporary status.

The terms of Bill C-11, require migrants to complete a course of study that is equivalent to the completion of secondary school in Canada. Despite the fact that many of the migrants may already have extensive education and experience in caregiving, they are nonetheless required to take additional classes on caregiving in Canada (Bill C-11, 2001). This requirement devalues both the migrants' education and experience by reinforcing the idea that migrants' experiences are not only different, but also inferior to their Canadian counterparts. Not only does this justify lower wages but also contributes to the justification of the migrants' enslavement.

Bill C-11 also requires temporary migrants to apply for their temporary legal status before entering Canada. This process, however, is quite difficult as the migrants are expected to have employment with a specific employer, even before they get to Canada.

² Bill C-11 replaced Bill C-30, which previously regulated the entry of immigrants and temporary migrants into the country.

³ Section 2 of the IRPR (2002), defines a live-in caregiver as "A person who resides in and provides child care, senior home support care or care of the disabled without supervision in the private household in Canada where the person being cared for resides."

Since the LCP does not offer assistance in finding an employer, the program encourages both migrants and employers to use Private Domestic Placement Agencies (PDPA). The PDPAs are intended to match the needs of the employer to the characteristics of an employee (Stasiulis and Bakan, 2005); however, the recruitment process has become very one-sided, pleasing only the needs of the employer. Involving agencies in the recruitment process not only takes away from the migrant's freedom to choose her own employer, working conditions, and work/home location, but the lax employer screening process may place the migrant directly into abusive situations (Stasiulis and Bakan, 2005).

Once the migrants are granted their temporary working visa, the visa is only valid for one employer in Canada, thereby removing the migrants' right to mobility within the market and confining them to the reproductive labour sector. In addition, Bill C-11 further demands that migrants sign an employment contract with their future employer (Bill C-11, 2001). While the 'Domestic Worker/Domestic Employer' contract would appear to benefit the migrant as the contract stipulates wages, working conditions and living conditions of the employee, it is in fact misleading as the contract is unregulated. This condition requires both parties involved to sign the contract; however, the employee must agree to accept the terms and conditions as outlined, while the employer simply signs a statement to certify that the information was accurate. Even though the CIC requires that this contract be signed by both parties, they take no responsibility in enforcing the terms of the contract. Without the regulation of a sturdy contract, employers are not required to follow through on the contract and migrants are susceptible to employer abuse (Stasiulis and Bakan, 2005). Essentially, this policy gives the

employer implicit permission to violate the terms of the contract, thereby enabling them to further exploit the migrant women.

Using the migrants' temporary status as a justification for exploitation, the IRPA states that migrants, are not authorized to (Bill C-11, 2001): 1) Work in any occupation other than stated on their visa; 2) Attend any educational institution or take any academic, professional or vocational training course; 3) Work for any employer other than stated; 4) Work in any location other than stated. The combination of the new policies added into Bill C-11 directly subject the migrants to modern slavery as I have previously outlined in chapter four⁴. The terms of Bill C-11, which inhibit migrants from pursuing their education, gaining work experience outside of domestic labour and working in any other location other than their employer's home, ensure that migrants are unable to move up in the occupation hierarchy. By cementing migrant women into this one occupation, the policy guarantees that the temporary migrant women will not be able to move out of the caregiving sector and the employer will have continued access to an endless supply of cheap exploitable labour.

5.2 Policy Changes: Citizenship and Immigration Canada

Citizenship and Immigration Canada (CIC) is a department of the federal government responsible for the successful integration of temporary migrants into

⁴ Under this definition, a slave is: (1) forced to work through mental or physical threat, (2) owned or controlled by an employer, usually through mental or physical abuse or threatened abuse, (3) dehumanized; treated as a commodity or bought and sold as property, and (4) physically constrained and has restrictions placed on his or her freedom of movement (Anti-Slavery International, 2009).

Canadian society. Over the past decade, and particularly under the current government, CIC has made numerous changes to the immigration policy aimed at prolonging the temporary status of migrant women, thereby prolonging the maximum amount of time that employers are able to exploit their unfree reproductive labour.

One of the changes made by CIC was to extend the maximum duration of work permits for both the SAWP and the LCP. While the SAWP visa was extended from 12 to 24 months, the LCP visa was extended from 1 year to 3 years and 3 months (CIC, 2008c). Prior to these policy changes, migrants were required to leave Canada for four months and to re-apply in order to re-enter the country. The new policy, however, now allows temporary migrants to stay in Canada for up to two years without having to request an extension. In addition to the extended amount of time that employers can exploit the temporary migrants, the work permit extension offers a wealth of economic benefits, including less paper work and reduced costs, time and effort spent on recruiting and training new employees, and being able to keep the same employee for a longer amount of time. For the temporary migrants, however, the work permit extension only serves to prolong the period of enslavement before the migrant can either go home (SAWP) or apply for permanent residency (LCP).

The department of CIC has also implemented a series of changes, which appear to purposefully maintain the temporary status of migrant women. The first of these changes was made to the LCP and stipulates that employers cover the costs of migrants' travel expenses to Canada, their workplace safety insurance, and any recruiting fees owed to third parties as well as the cost of their medical insurance until they are eligible for the provincial medical examination (CIC, 2010a). While these changes appear to benefit the

migrants, they in fact place the migrant in a condition of indentureship. Owing a substantial amount of money to their employer, the migrants become confined to the job and their unfree conditions until they pay off their debt. Creating an intense imbalance of power, migrants are forced to stay with the employer until they have paid off their debt, leading to increased susceptibility to abuse, exploitation and overwork.

The second change made by the CIC also applies to the LCP. CIC has increased the number of years that migrants can take to complete the required 3900 work hours to gain landed immigrant status (CIC (b), 2010). While migrants previously had three years, CIC increased the amount of time to four years, with only 10 percent of their work hours included in the calculation (Niren, 2010). Thus, it will appear that migrants will work fewer hours, over a longer period of time. However, due to the fact that migrants are paid per hour, and are not often paid for their overtime hours due to the live-in requirement and the nature of the paternalistic/maternalistic relationship often developed with their employer, this policy will only function to reduce the migrant's wages and prolong the duration of their enslavement.

Another policy change enacted by the CIC, requires employers of the TFWP to draw up a contract that clearly state their expectations with regards to job duties, sick leave, resignation and termination procedures and terms, as well as holiday, overtime and sick days (CIC (b), 2010; Niren, 2010). While a clearly outlined contract would benefit migrants, the implementation of this new policy will merely function to appease the masses because, in reality, the contract holds no substance, as it is not subject to government regulation. As stated above, the CIC does not claim any responsibility in the employer-employee contract and without outside government regulation, the employers

will be free to exploit the migrants, again reinforcing the paternalistic/maternalistic relationship (Stasilius and Bakan, 2005). As such, there is no way of knowing whether the contracts are being fulfilled. If the migrants do complain about their contract not being honoured, or give a negative review of the employer at the end of the season, they risk deportation, suspension from the program or risk not being hired again the following season, giving migrants no other option but to accept their unfreedoms.

5.3 Policy Changes: Bill C-50

In early 2009, the Conservative government made another series of changes to the Immigration and Refugee Protection Act (IRPA). The changes to the policy, however, were not publicly announced, but rather undemocratically slipped into Bill C-50 (C-50, 2008), which pertained to the 2009 federal budget. By slipping the changes into Bill C-50, the majority government bypassed the rest of the government's input by closing the Bill and restricting any further discussion on the topic. As such, the opposing members of Parliament were not able to vote on the policy change because opposing the change would have spawned a parliamentary election (Rolbin-Ghanie, 2008)

On June 10, 2009, the Bill was passed by default, as the parties could not vote unless an election was called. Supposedly aimed at reducing the backlog and getting key migrants here faster, the Bill gave the Minister of Citizenship and Immigration the ultimate decision making power to individually choose who will be granted entry into the country (Panusa, 2008). The alleged intent of this law was to give the Minister the authority to issue instructions to immigration officers related to the processing of applications. That is to say that immigration officers could be given orders to fill specific

employment niches within Canada and only accept those people with the necessary skills and experience (C-50, 2008). In actuality, this policy gave the Minister of CIC the power to issue quotas and restrictions on people based on their particular categories of race, gender, ethnicity, religion and country of origin.

Previous to Bill C-50, section 11 of the IRPA stated that anyone who met the stringent criteria to enter Canada as a worker, student, visitor or permanent resident, shall be granted the status. However, with the implementation of the new Bill, the minister has discretionary power to reject an application, despite the applicant's ability to meet the outlined criteria (Rolbin-Ghanie, 2008). In addition, Bill C-50 also gave the Minister the authority to decide the order in which the applications are processed, regardless of when they are filed. Essentially, the immigration minister will be able to hand pick whomever he or she feels will be best suited to enter Canada's unfree labour force based on labour market shortages. Goar's (2008) article, documenting the finance minister's comments on the Bill, sums up the goals of the Bill as a, "just-in-time competitive immigration system which will quickly process skilled immigrants who can make an immediate contribution to the economy (Goar, 2008, p.1)." Not only is Bill C-50 racist and dehumanizing, but it commodifies migrants, minimizing them to a disposable resource, all in an attempt to maximize profits, the basis of which is not much different than the slaves within the slave trade.

5.4 Getting Employers on Board: Easing the Recruitment Process

In accordance with the above policies and bills, it appears as though Canada has taken purposeful measures to ensure and prolong the temporary status of migrant women in Canada. Despite the migrant's temporary status, the government and Canadian employers, can only stand to profit from the migrant's unfree labour if and when Canadian employers choose to use the unfree reproductive labour of temporary migrants over the free labour of Canadian and permanent residents. Committed to increasing the national comparative advantage, the Canadian government implemented numerous policies that would not only promote the TFWP, but also ease the hiring process and ensure that employers would recruit female unfree labour instead of free labour⁵.

a) Budget

In the latter half of the decade, the current Government of Canada began allocating an increasing amount of funding towards the TFWP. Despite the numerous concerns about migrant worker exploitation and abuse, the purpose of this money went towards facilitating the migrant worker recruitment process for employers, rather than ensuring their health and safety.

In October of 2006, a program titled 'Advantage Canada' was implemented into the fiscal update. Advantage Canada is, "an economic plan designed to make Canada a world leader for today and future generations. It will build a strong Canadian economy

⁵ The majority of the changes made to the immigration policy occurred after 2006, when the current Conservative government came into power.

and make our quality of life second to none through competitive economic advantages” (Department of Finance Canada, p. 69). This plan, which was essentially a neo-liberal restructuring plan to cut taxes, reduce government debt and reduce government involvement, was ultimately aimed at increasing market competition and “create[ing] the most flexible workforce in the world.” With a commitment to make, “improvements to the TFWP, to respond to employers experiencing difficulty filling job vacancies” (National Union Research, 2007; p.6), the plan reduces temporary migrants to disposable commodities of unfree labour, necessary only as a tool to achieve economic success.

The 2007 federal budget further functioned to facilitate the employer’s accessibility to temporary migrants. The budget, which provided the TFWP with an additional \$150 million, allocated an annual amount of \$35.5 million to the CIC and HRSDC over five years (National Union Research, 2007). Again the money went towards facilitating the recruitment process and was specifically allocated to improving the application process (AOG, 2009). The intent was to reduce delays for employers, respond more effectively to regional labour shortages and improve the consistency and fairness of decision-making⁶.

The programs ability to respond more effectively, however, functioned to greatly infringe on the rights of the migrants as it placed them in a very precarious position, even before their entry into Canada (National Union Research, 2007). Since the SAWP requires that the participants have agricultural experience, the majority of the workers are

⁶ Close to 80 percent of the funding went to HRSDC for processing applications for labour market opinion (AOG, 2009; p.35).

from rural areas. In order for migrants to respond more quickly to employer requests, migrants will be forced to wait in Mexico City so that they can be near an airport and can immediately leave for Canada. However, travel to and from many of the rural areas to the nearest to airport in Mexico City could be a long distance, which would require more than a few days. As such, to wait in the city for a potential employer to call would require the migrant to be away from their families and pay for the additional costs of living/staying away from home. As previously discussed, this situation would have grave effects upon migrant women.

Building on the priorities of the ‘Advantage Canada’ plan, the country’s 2008 annual budget again allocated an additional \$109 million to “modernize” the immigration system over a five-year period (CIC, 2008). In the federal government’s budget announcement, it was stated that, “these funds will make it possible to better respond to the increasing demands placed on the immigration system” (CIC, 2008). In other words, Canada will continue to modernize the immigration system through its commitment to recruiting unfree labourers and facilitating the use of their labour as a means to increase the country’s overall national comparative advantage. This modernization meant that the funds would ease the hiring process for employers, thereby enhancing Canada’s reliance upon the unfree labour of temporary migrants.

5.5 Labour Market Opinion: Ensuring the Use of Unfree Labour

In the past, the hiring process of temporary migrants has been a long, drawn-out

procedure, which has deterred many employers from participating in the TFWP. The changes made to the immigration policy by the federal government over the past decade, however, have substantially eased the hiring process by providing numerous resources and government aid to the employer. Not only have the policy changes made unfree labour more appealing to employers by reducing the cost of hiring temporary migrants (Gross, 2010), but the changes have also functioned to make the unfree labour more readily available and at the disposal of the employer.

a) Relaxing the Policies

The Immigration and Refugee Protection Act requires the HRSDC to perform a Labour Market Opinion (LMO) to assess whether the recruitment of the migrant will negatively or positively affect the employment of Canadian citizens. The following changes made to the immigration policy, however, function to supersede the LMO as they give employers direct access to the migrants, regardless of the outcome of the LMO. This suggests that there is not a shortage of labour in Canada, but that there is a shortage of *unfree* labour or people willing to work for low wages in hazardous working conditions.

In November 2006, the federal government announced two new policies aimed at “streamlining” the TFWP by fast-tracking the approval process for employers who want to recruit temporary migrant workers (National Union Research, 2007). The new policy permitted employers to choose one of two options. The first option reduced the period of time that employers are required to advertise the job for Canadian residents from six months to seven days. Before seeking labourers outside of Canada, employers are

required to post the job on the Government of Canada's national Job Bank (or the equivalent in Saskatchewan, Quebec, or the Northwest Territories) (National Union Research, 2007). Employers' second option was to demonstrate that they have established and are currently employing ongoing recruitment mechanisms. These recruitment mechanisms may include: using recognized job Internet sites, unions, professional associations, corporate websites, professional journals, newspapers and newsletters (MacGregor and Love, 2009).

On January 1 2007, the HRSDC and CIC further eased the employer advertisement requirements through a policy added into the "Advantage Canada Strategy" (CIC, 2007). As stated by the Minister of Human Resources and Skills Development, "the changes will reduce the time that employers have to wait to get their workers." In other words, the changes will reduce the time that employers have to wait to receive 'their' migrant labour, making the migrants into a flexible, expendable labour force. Previous to these changes, employers were required to advertise for a period of three months, giving Canadian labourers an ample chance to apply for the job. The new changes to the policy only require employers to advertise the position on the national job bank or the equivalent in Saskatchewan, Quebec or the Northwest Territories and on any secondary advertising source for a minimum of 14 calendar days during the three months prior to the Labour Market Opinion. In addition, a secondary source is encouraged but no longer required.

In reality, the required use of the national Job Bank is an entirely inefficient tool for the recruitment of labourers in the horticultural and domestic service areas (MacGregor and Love, 2009). Many industries do not rely on the national Job Bank for

employee recruitment but rather they have their own occupation-specific job bank or other recruitment services. To post on the national Job Bank would only be counterproductive as it increases the workload of the employer and requires sorting through a large number of applications by unqualified candidates. If, however, the employer wanted to hire temporary migrants, these new regulations simplify the process for the employer. The employer simply posts the job on the Job Bank as a formality of the migrant recruitment application process (MacGregor and Love, 2009).

The duration of the new advertising requirements made the posted positions virtually inaccessible to Canadian residents, as it is clearly not enough time to apply for a job and be recruited. Essentially, the decrease in the duration of the advertising requirements reduces the attempt at recruiting the free labour of Canadian employees to a formality. This formality thus allows employers to create a reliance on the unfree labour of temporary migrants, as it is assumed that Canadians will not offer their free labour to fulfill the labour shortage. Again, this ineffectual process suggests that Canada is using the TFWP to fulfill the unfree labour shortage.

Another change to advertising requirements slipped into the "Advantage Canada Strategy", requires the employer to include the wage or the wage range in the advertisement posted on the national Job Bank. While a large amount of temporary migrants in one industry tends to draw down the wages (Krissman, 2006), the average wage for this type of employment is often very low. To post the wages online would be detrimental to the employer, as Canadians would not generally work in a high-intensive labour job for such low wages. Thus, if the wage is posted, it functions as a deterrent to

Canadian employees, ensuring that the employer will indeed have access to unfree labour.

In May 2009, the federal government further altered the advertising requirements for the LCP, making it easier for employers to access the unfree labourers. The policy changes grant the third party representative or the PDPA permission to conduct the advertising on behalf of the employer (HRSDC, 2009). Not only do these changes greatly ease the hiring process for employers, but also they remove them from the process almost completely. It is as if the employer puts an order in for a commodity and then very easily receives it within a few weeks.

b) Easing the Hiring Process

In 2006, the CIC introduced Temporary Foreign Worker Units (TFWU), to “help Canadian employers and the business community as a whole by facilitating the entry of temporary foreign workers into Canada” (CIC, 2006). The units provide facilitation services to employers who hire temporary foreign workers who are exempt from labour market confirmation processes such as migrants in the SAWP. These units are strategically located throughout the country in areas that recruit a high volume of temporary migrants in many provinces, such as Alberta, British Columbia and Ontario. Essentially, the TFWUs function to provide employers with direct help from the government to hire a temporary migrant worker, making unfree labour an easily accessible and viable option (CIC, 2008d).

In November 2008, the HRSDC launched an Employers Handbook to further assist the employer with the recruitment process. Designed to facilitate the recruitment

process of temporary migrants, the handbook is available to all employers and potential employers. Written in employer-friendly language, the handbook is a step-by-step guide providing detailed information on how to hire a temporary foreign worker. The handbook was simultaneously launched with a series of government-conducted information sessions regarding the TFWP. This was clearly aimed at promoting the TFWP and educating Canadian employees on the economic benefits of temporary foreign workers and their unfree labour.

In April of 2009, the federal government provided more assistance to potential and current employers by launching a user-friendly website designed to facilitate the temporary migrant recruitment process for employers. The new website provides labour market applications which can be filled in and submitted online. Employers are thus provided with immediate acknowledgement that their application has been received (Gibb, 2007). Essentially, the changes made to ease the hiring process of temporary migrants has virtually made it easier to access unfree labour and hire a temporary migrant than to access the free labour offered by Canadian residents.

5.6 Conclusion

The changes made to immigration policy over the past decade clearly illustrate the federal government's commitment to the neo-liberal goal of increased profit accumulation through the exploitation of temporary migrant women. Aware that the achievement of their neo-liberal success rests upon the temporary legal status of the unfree labour force, the federal government has implemented numerous policies to maintain their legal status as such. Access to a cheap exploitable labour force does not

ensure the use of the labourers, and as such, the government has also to ensure that employers utilize the unfree labour force through promotion and the ease of accessibility. Fundamentally, the policy shift has created an institution of modern-day slavery, justifying the exploitation of temporary migrant women for the increased national comparative advantage.

Chapter 6: Contextualizing the Findings of the Immigration Policy Changes

“The law constitutes the fundamental basis of all societies dependent upon slavery” (Bush, 1990, p.27).

6.0 Introduction

Upon analyzing the shifting immigration policies presented in Chapter five, two overarching themes emerge. First, the government has a clear understanding of the economic benefits of unfree reproductive labour. Despite the harmful effects upon temporary migrant women, the government has proceeded to implement policy changes that further substantiate and prolong the migrant’s temporary legal status. Second, to ensure the full economic benefits of temporary migrant women’s exploitation, the government has implemented immigration policies that promote the exploitation of temporary migrant women through the TFWP.

This chapter will contextualize the findings of the textual analysis in light of these two overarching themes. The first section of the chapter will discuss why it is important for the government to maintain the unfree labour force. The second section of the chapter will discuss how the reproductive labour of temporary migrant women has economically benefited the two sectors of caregiving and horticulture, thereby substantiating the

argument that the government has purposefully enslaved migrant women in the TFWP as a means to increase their national comparative advantage.

6.1 The Permanence of the Temporary Status

As was previously discussed, the migrant's temporary legal status is a catalyst to their enslavement. Although it is plausible that Canada is recruiting temporary migrants for the sole purpose of fulfilling short-term labour shortages, the fact that these labour shortages continue to exist, would suggest that there is actually not a labour shortage but a shortage of unfree labour. The changes made to the TFWP over the past decade, which make the temporary legal status a permanent condition, demonstrate Canada's ongoing commitment to the exploitation of the unfree reproductive labour of migrant women.

The government's steadfast commitment to the use of unfree reproductive labour is further demonstrated by the fact that there were fewer policy changes made to the SAWP than the LCP. Since migrants in the SAWP are unable to apply for permanent residency, their status as a temporary migrant is virtually permanent. That is to say that employers are free to exploit migrants at any time throughout the year and for any number of years. Basok's (2004) research on temporary migrants clearly demonstrates this phenomenon as she has demonstrated that the temporary status of migrants in the SAWP is a permanent condition. She points out that some workers in Ontario have temporarily returned to the same region in Ontario for the last 20 years and there have been very few attempts to alter the policies that render the migrants as nothing more than temporary visitors within Canada.

Despite the migrants' continued dedication to their lives and careers in Canada, the policies inherent within the SWAP, leave migrants unable to participate in the political process and are therefore unable to influence the terms and conditions of their employment through the electoral process (Verma, 2007). Hennerbry and Preibisch (2010) argue that the terms of the SAWP are purposefully designed to deter migrants from accessing permanent residency or settlement by choosing workers with more reasons to return home than to stay. For example, migrants are chosen by the fact that they are the primary breadwinner of the family. This requirement alone suggests that the migrant has a family to return to and would therefore not want to stay in Canada.

Contrary to the SAWP, the temporary status of migrants in the LCP is less permanent, reducing the amount of time that they can be exploited and therefore the money that can be saved from their enslavement. This would explain the numerous changes to LCP, which function to prolong the migrant's temporary legal status or the period of time that migrants are deemed legally exploitable. The policy changes to the CIC, presented in Chapter five, out rightly prolonged the amount of time that the temporary visa is valid, thereby extending the amount of time that migrants are exploitable. In addition, through the changes made to the Bill C-11, the temporary legal status functions to devalue the migrants' education, experiences, and personal worth, all which make it easier for employers to exploit the migrants for their unfree labour.

Not only do the changes made to the immigration policy affect the length of migrant women's temporary status or exploitability, but it will also affect their citizenship status once they have become permanent residents in Canada. T.H Marshall's ([1950] 1992) tripartite formulation of citizenship entailing political, civil and social

rights is often used as a starting point for discussions on citizenship within the discourse. Well documented and widely used throughout the discourse, T.H Marshall defines citizenship as, “full membership in a community.” Dividing the concept into three distinct categories of rights including civil, political and social, Marshall argues that full citizenship is only achieved if and when a person achieves all three categorical levels of citizenship. We can understand civil rights to include individual liberty, freedom of expression, freedom of religion, protection from abuses at the hands of the state, equality before the law, and the prohibition on discriminating on the basis of gender, origin, race, language or beliefs. Political rights include the right to elect and be elected at various levels of government, the freedom of assembly and association, and freedom of information. Social rights include the right to work, to equality of opportunity (in education and in the labour market), to health services, to social benefits, to social services in case of unemployment or disability, and to a standard level of education.

Marshall ([1950], 1992) argued that access to social rights were an essential feature of full citizenship because individuals could not enjoy full political and civic rights without access to social rights. As mentioned earlier, those women who enter Canada through the LCP are confined to the caregiving industry, which directly leads to the denial of social rights during their initial two-year term within Canada. The policy changes presented in chapter five force migrants to: find an employer before they come to Canada, complete a course of study which devalues their own education and experience, sign an employment contract which has no standup value, and agree not to work in any occupation other than stated on their visa, nor attend any educational institution or take any academic, professional or vocational training course, nor work for any employer

other than stated, and work in any location other than stated, all of which contribute to the migrant's confinement in the caregiving industry.

Macklin (2003) claims migrant women continue to come to Canada to gain access to permanent residency. The idea is that permanent residency in Canada will increase their family's economic status and offer a better welfare system with more access to citizenship rights than their source country. As such, many women are willing to endure the two years of harsh conditions in order to receive the benefits that the Canadian permanent residency can offer. Some scholars have even termed this a necessary purgatory. As one migrant woman reported, "We know that under the LCP we are like modern slaves and we have to wait for two years to get our freedom" (Diocson, 2003; n.p).

Following the two years of their 'necessary purgatory', migrant women believe that they will be able to leave the caregiving sector and gain access to social rights. However, the newly admitted policy changes function to reinforce migrant's position in the caregiving sector and ultimately deny them access to social rights, even after they have gained permanent residency status in Canada. This prolonged amount of time in the caregiving industry may lead to the process of de-skilling. Zaman (2007, p.79) refers to deskilling as, "the systemic and structural processes involved in eliminating educational and professional skills, whether by force, by constructing barriers, or by imposing government regulations/deregulations." Zaman (2007) points out that Filipino migrant women often forego their skills attained in the Philippines as a means to gain entry into the Canadian workforce. However, following the completion of their contracts, the migrants have no Canadian experience using their skills, their skills are no longer current

and they may require new training and education. This leaves them with few occupational options but to stay within the caregiving sector (Zaman, 2007, Arat-Koc, 1997).

Essentially, the changes made to the immigration policy over the past decade have ultimately denied the women the right to equal opportunity within the labour market which leaves them confined to the caregiving sector and unable to gain access to social citizenship.

6.2 Temporary Migrant Women: Economic Benefits

As evidenced by the shifting immigration policies illustrated in Chapter five, Canada is a country clearly committed to the neo-liberal ideology. It is quite apparent that the exploitation of female unfree labour has become one of Canada's key strategies in achieving their neo-liberal goals. Not only has the federal government increased the amount of female unfree labourers annually recruited into Canada (Fig. 1), but they have also subjected them to a modern form of slavery. Numerous changes made to the immigration policy over the past decade were dedicated to expanding the TFWP by promoting the use of unfree reproductive labour and facilitating the recruitment process for employers. Again, the expansion of the program was carried out as a means to increase the economic profits gained from the migrant's enslavement. An examination of the agricultural and caregiving sectors reveal that the changes made to SAWP and LCP have effectively functioned to economically benefit the two sectors, helping Canada to achieve their neo-liberal goal.

The literature dictates that unfree labour expands a capitalist country's function to increase capital in three fundamental ways. First, unfree labour increases surplus value

through increased product accumulation. Second, the widespread use of unfree labour within a targeted industry can function to bring down the wages of the entire workforce (Brass, 1997). Third, profit accumulation is achieved by gaining access to a flexible workforce that is vulnerable and can ensure a timely and compliant labour force when production requires. In this context, flexibility is achieved by creating temporary, seasonal and informal workers that can be mobilized and disbanded according to varying labour needs, thus keeping labour costs down and reducing the non-wage related costs of employment (Preibisch and Grez, 2010).

The following sections will demonstrate that, indeed, the increased supply of low-wage, female unfree labourers employed within the Canadian domestic and horticulture sectors has virtually edged Canadian domestic employees out of the industries in question. Primarily recruited through the TFWP, this shift from free to unfree labour has economically benefitted both the employer and the federal government of Canada, ultimately increasing the national comparative advantage. The following sections will demonstrate why there is currently a pull for temporary migrants in Canada. Essentially, temporary migrant women are being enslaved so that Canada can increase its national comparative advantage.

a) Horticulture Industry

Over the past decade, Canada's horticulture industry has experienced exponential growth (Fig. 2), reflecting the shift away from the small-scale family farms towards large-scale corporate farms. Developing into one of the most important agricultural sectors in Canada, the industry has become more specialized, intensified and productive

(Agriculture and Agri-food Canada, 2008). In 2008, the horticulture industry was valued at \$5,783 million¹ (Agriculture and Agri-food Canada, 2008), annually contributing between \$5 and \$7 billion to Canada's trade balance and accounting for 14 percent of all annual farm cash receipts and \$3,852 in exports. Assuming temporary migrants work in all sectors of this industry, the total value of the industries benefitting from their labour exceeds almost \$6 billion (Agriculture and Agri-Food Canada, 2008).

The steady growth of the industry over the past decade has been accompanied by an increased use of temporary migrants, in particular female temporary migrants (Fig. 2) (Preibisch and Grez, 2010). Figure 2 illustrates the economic growth of the industry in terms of exports (\$ billions) with the correlating increase of temporary migrants employed within the industry. Miles (1987) argues that an increased supply of low-wages workers will bring benefits to the entire industry, benefits from the increase in surplus value. In accordance with Miles (1987), it appears as though the horticulture industry was unable to turn a profit with the free labour force to which the industry within Canada had access. However, the increased recruitment of temporary migrants not only brought down wages within the entire industry but created a structural dependency on the exploitation of their cheap, flexible and unfree labour, particularly as farm labour has become an undesirable profession due to poor working conditions and low wages (Preibisch and Grez, 2010).

¹ All values throughout this thesis are in Canadian dollars unless otherwise specified.

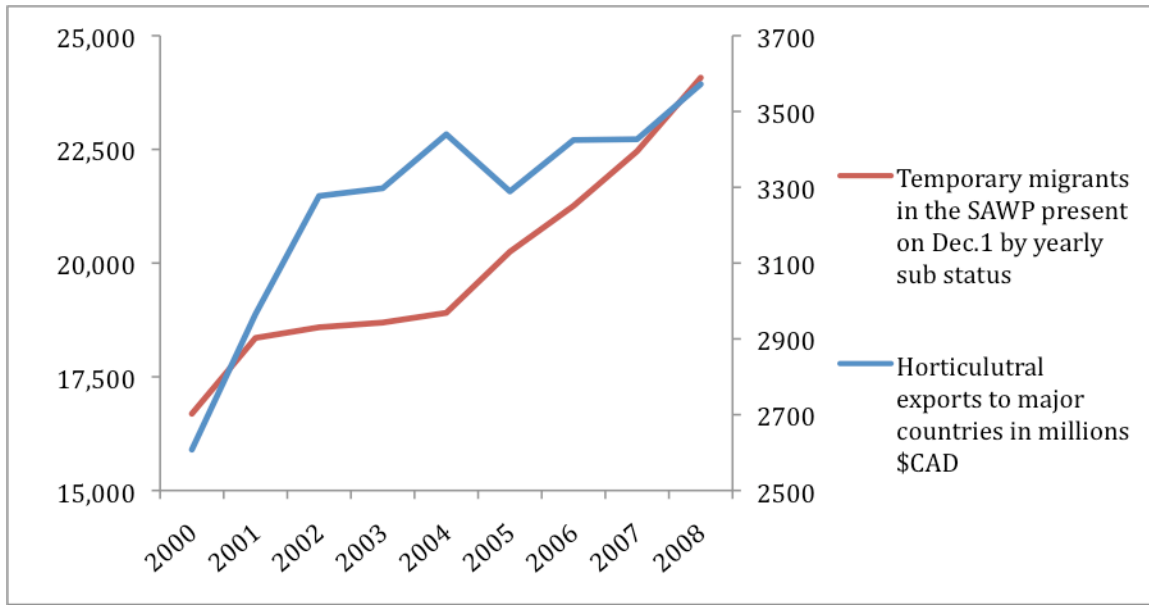


Figure 2. The increase of migrants over the past decade and the increase in horticultural exports over the past decade.

Source: Agriculture and Agri-food Canada (2008).

Prebisch and Encalada (2010) argue that racism and sexism are used to maximize profit in two ways: through segregated labour markets in which minorities, women of colour and immigrant women are concentrated in low-status jobs, and through split labour markets where the immigrant gets paid less than white employees. These provisions are allocated to the domestic and horticulture sectors, which have historically relied on women's unfree labour and currently require an abundance of this unfree labour to turn a profit (Preibish and Grez, 2010). Already attached to the notion of food production, migrant women and their unfree labour are becoming increasingly more valuable due to the fact that their labour has been deemed 'unskilled'. This is due in part to the industry's gendered division of labour, which values the masculine body and characteristics over the feminine body.

Employers often prefer women to do stereotypical female tasks, which may require dexterity, precision and care and are most valuable for tasks such as picking and packing fruit, which are considered to be the lowest-skilled positions and therefore the lowest-paid positions on the farm (Priebisch and Grez, 2010). The long hours and lack of formal training required for these jobs most often leave women earning the least amount of money on the farm. Conversely, men are most often allocated to jobs or duties that require a skill or the opportunity to learn a new skill such as operating machinery, which is much less labour intensive. In reality women end up working longer hours than men but getting paid less, a quality which many farms are coming to find valuable. Women are paid less because they are doing tasks which are connected to reproductive labour and therefore considered to be unskilled.

While there is currently a lack of information regarding the average wages of women participating in the SAWP, Barndt (2002) notes that migrant women working within the industry generally have lower wages than their male counterparts. Women's lower wages may be due to a piece wage rate associated with the gendered division of labour. Many pickers and packers, which constitute the majority of migrant women horticulture workers, are paid not by the hour, but per pound picked or packed (Fairey et al., 2008)². While this pay system most often benefits the employer, migrants only ever receive a benefit if there are high-yielding crops. In the absence of high yields, migrant workers are forced to work longer hours, of which the government is not required to pay

² The same gendered division of labour also existed within the slave trade. Durant and Knottnerus (1999; p.127) has documented that slave women primarily performed the picking and packing while the men performed jobs requiring a skill.

overtime (Verduzco and Lozano, 2003) to increase their poundage³. Thus, the only way for migrant women to make more money is to work harder and work longer hours (Preibisch and Grez, 2010).

In addition, the piece rate wages make it very hard for the migrants to participate in the Employment Insurance program (EI), by which deductions are taken off of their paycheque. Since EI is calculated from the number of hours worked in the past 26 weeks, it requires a record of the hours worked. Given that piece rate wages are not conducive to keeping track of hours worked, migrants are often forced to rely on their employers to convert the amount of pounds picked to the number of hours worked. However, this process artificially inflates the hourly pay rate, but extends the time workers must be employed to qualify under the minimum number of hours (Fairey et al., 2008)⁴. Thus, the piece rate wages directly benefit the employer by saving cost of wages, and the federal government because they do not have to pay out EI. Piece rate wages, which primarily affect women, carry out Canada's ultimate goal of profit accumulation through extreme exploitation.

Temporary migrant women are also increasing employer revenues through the split labour market. Despite the fact that, on average, Canadian employees receive a higher wage than migrant workers do, very few domestic workers continue to work in the

³ While these wages are often not enough to make the migrant's trip to Canada worthwhile, employers will often offer the migrant eight hours of work getting paid by the hour and then additional hours working on a piece rate (Verduzco and Lozano, 2003).

⁴ When workers cease employment, employers must issue a Record of Earnings (ROE), but because of their discretionary power and the widespread practice of converting piecework to an hourly wage without having any proper mechanism to record accurately the hours actually worked, employers can easily falsify records.

industry. For the Canadians who do enter the horticulture industry, there is a high turnover because these workers are only likely to remain in the industry until they find better-paying and less physically demanding work, or are able to access the social safety net. In addition, Canadians with other options may choose to work elsewhere because the horticulture industry pays low wages, is among the most dangerous occupations in terms of workplace injuries, and requires long hours of arduous work (Preibisch, 2007).

Although the Mexican SAWP agreement stipulates that the migrants should be paid the same wage as their Canadian counterparts, the unfreedoms they are subjected to, such as not being able to unionize and having no citizenship rights, ensure that the migrants are paid lower than average wages⁵ (Fig.3). Data from the 2003 wage survey of seasonal employees in the horticulture sector exemplifies this point (Verma, 2003). The survey, which focused on the hourly wages of both foreign and domestic workers who were hired as farm labourers, harvesters, and nursery or greenhouse workers, revealed that on average foreign workers were paid much less than Canadian workers in all areas of the horticulture industry. When wages for all of the occupations were combined, foreign workers earned between \$6.81 per hour in Manitoba and \$7.84 per hour in Ontario (Figure 3). Domestic labourers earned between \$7.63 per hour in Saskatchewan and \$9.44 per hour in British Columbia (Statistics Canada, 2003). These statistics clearly

⁵ The Mexican SAWP agreement provides that the wage be determined by whichever is the greatest of: the provincial statutory minimum wage; the rate determined annually by HRSDC to be the prevailing wage rate for the type of agricultural work being carried out by the worker in the province in which the work will be done; or the rate being paid by the employer to his Canadian workers performing the same type of agricultural work (Veerma, 2003; p.xiii).

illustrate that the widespread use of temporary migrant labour in the horticulture industry has lowered the average wages of the entire workforce.



Figure 3. Wages of migrant and domestic workers in the horticulture industry working in nursery and greenhouses, as farm labourers and harvesters and the combined average of the two sectors.

Source: Verma (2003).

In essence, the Canadian horticulture industry has come to rely on female temporary migrant labour. Although labelled as temporary, the industry primarily relies on the migrants' cheap, exploitable and expendable labour to turn a profit. The migrants have been forced to work in poor and unhealthy working conditions for long arduous days and are unable to quit their jobs in search of better working conditions or better employers. Devalued as women and the skills they can offer, the cheaper wages that temporary migrant women are paid compared to their male counterparts has indeed contributed to the horticulture industry's increased profits. Even though there are fewer women employed within the industry, they turn a great profit for the employers and for

the country. Since women are paid the least amount of money with regards to their Canadian and male Mexican counterparts, they serve to be very valuable in the larger scheme of things.

b) Live-In Caregivers

While the unfree conditions and low wages of migrants in the SAWP leads directly to increased profit margins, the unfree conditions of migrants in the LCP are a vital component to both the employer and the government, utilized in government cost-cutting, which indirectly leads to profit maximization, which is an important component of neo-liberalism (Woodhouse, 2008). Canada's childcare sector serves to exemplify this point. Falling victim to neo-liberalism's restructuring goals of "diminishing government assistance to its citizens", childcare programs across the country have undergone numerous budget cuts. Over the past decade, the federal subsidies to childcare have been reduced by 2.5 billion, putting a great strain on women, for who childcare is the primary responsibility (Figure 4) (Hoschild and Machung, 1989).

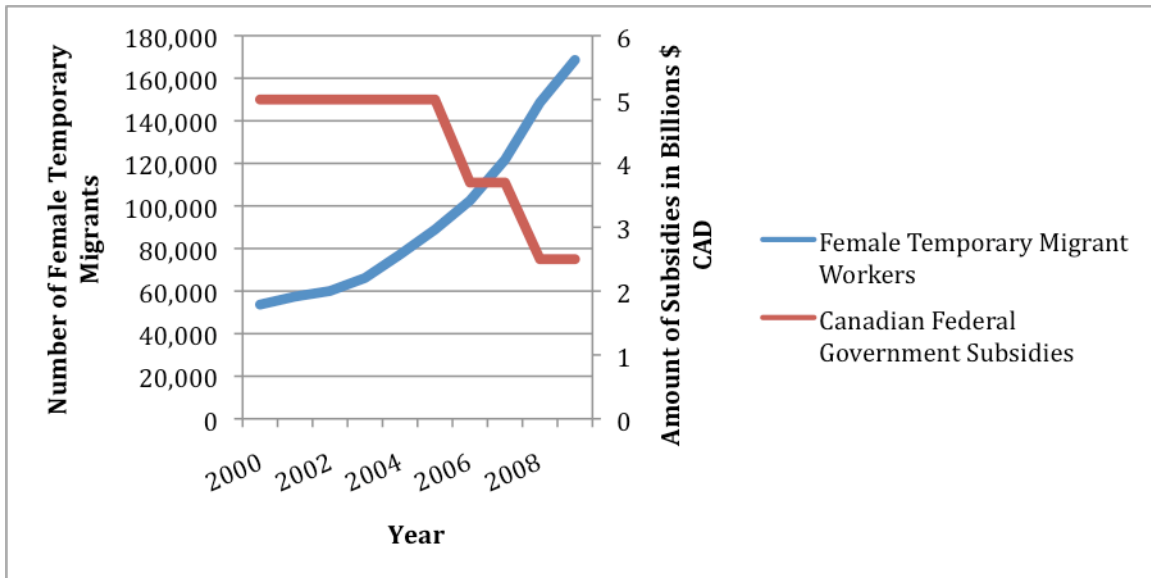


Figure 4. The number of female temporary migrants recruited over the past decade and the drop in subsidies given to childcare over the past decade.

Source: Statistics Canada, Fact and Figures (2009); Manu, Vera (2010).

Canada's professional workplace is organized around a male breadwinner/female housewife model. This not only demands long hours at the office and a persevering commitment to work, but assumes that someone is doing the unpaid reproductive work (Macklin, 1994). Despite the fact that the majority of women now work in the paid public sector, it is assumed that the female in the family is taking care of the children. As such, the federal government currently gives each child \$100 per month for the parents to find the best choice in child care that suits their needs (Manu, 2010). While the \$100 is clearly not enough for the increasing daycare costs, a shortage in daycare has risen, leaving most parents to resort to the aid of relatives, neighbours, babysitters or unlicensed daycare (Baken and Stasiulis, 1995) leaving parents, and mothers in particular, to find a private source of child care. In lieu of government-funded daycare, the federal

government of Canada has begun to promote the use of temporary foreign migrants as an alternative.

The increase of temporary migrants in the LCP can be directly correlated to the decrease in government funding for child care. Over the past decade, numerous scholars have documented an increasing demand for caregivers in Canada (Bakan and Stasiulis, 1995). This unfree form of labour is cheaper than public daycare and costs the government almost nothing as it is entirely privately funded. The price to pay a free labourer to take care of children can be 'expensive'. For example, the price of daycare in Ontario is approximately \$738 per child per month (CBC News, 2005). Conversely, the average cost of a live-in caregiver in Ontario is \$911 per month. The more 'affordable' option for families with more than two children, thus, is to hire a temporary migrant.

Pratt (1999) has pointed to numerous tactics that employers utilize to diminish migrants' wages and extend their hours worked without pay. First, some employers use the minimum wage law as a ceiling rather than a minimum wage. Second, some employers justify the low wages paid to the migrants in terms of their inability to pay. Since child care is the primary responsibility of women, the cost of the care is assessed with regards to the woman's salary. Third, some employers expect the migrant to work for extended family members, which prolongs the long hours and low wages. Fourth, some employers do not consider the migrant to be working when the child is sleeping, even though they are alone in the house and the only one responsible for the child. Fifth, the employer may shame the domestic worker when they demand their fair wages. Sixth, some employers imply that the cost of \$325 in British Columbia (HRSDC, 2012) that is deducted from their wages for room and board is underrated and expect the migrant to

work extra hours to make up for this. The requirement that nannies live in the home clearly lowers the cost for their employer because employers are able to deduct \$325 (HRSDC, 2012) off of the paycheque each month for room and board. Given that \$325 (HRSDC, 2012) would clearly not be enough to rent a one bedroom apartment in Vancouver, nannies living outside the home would clearly require a higher wage. Seventh, the employer may subcontract the nannies to their friends and family and not give the migrant the money for working but rather keep it for themselves. Eighth, some employers encourage nannies to participate in a try-out period of one to three months, which is unpaid. Not only does this force the domestic to work without wages, but it is also illegal for the domestic to work without a contract and it eats into the three-year period which the domestic is required to carry out before they can apply for permanent residency.

Canada's caregiving industry, which has typically been the responsibility of the government has now come to rely on the cheap exploitable labour of temporary migrant women. The more the government is able to rely on the unfree labour of female temporary migrants, who are privately funded by their employers, the less funding the government has to provide to the child care sector and the more the government can maximize their profit. Therefore, the neo-liberal social spending cuts made to the child care sector in Canada would not have been possible without temporary migrants.

6.3 Conclusion

There is no doubt that Canada has economically benefitted from the immigration policy shift to a focus on temporary migrants. The shift, which cemented the temporary

status of migrant women and further functioned to promote the use of the program, has definitely increased Canada's overall comparative advantage as well as that of the caregiving and horticulture sectors.

Chapter 7: Conclusion

“History repeats itself, first as tragedy, second as farce”¹ (Marx, 1942, p.1).

7.0 Concluding Remarks

Marx’s quotation above, directly points to the tragic parallel illustrated throughout this thesis. The transatlantic slave trade, which exploited countless amounts of Africans, as a means to bring capitalism to fruition, is noted as one of the most horrible and tragic events throughout modern history. Yet, for the institution of slavery, albeit a modern form, to reoccur in Canada over 200 years later, also in the pursuit of neo-liberal expansion, is an absolute travesty.

Although the institution of slavery that resulted from the transatlantic slave trade and the institution of modern slavery promoted by Canada’s current immigration policies are markedly different, their similarities far outweigh their differences. The goal of this thesis was to reveal these similarities as a means to illustrate the detrimental causes of Canada’s shifting immigration policies. The following conclusion reiterates the many similarities between the two institutions slavery that this thesis has alluded to.

¹ This quote is a paraphrase of the opening sentences of *The Eighteenth Brumaire of Louis Bonaparte* (1852).

Before we begin recapping the similarities however, one important difference must be reiterated; slavery in the transatlantic slave trade was defined by the slave's ownership. While modern forms of slavery encompass all aspects of slavery, they do not include ownership over the slave. Nevertheless, as Chapter two has argued, modern slavery should still be considered a form of slavery. This brings us to the first similarity between the two institutions of slavery because temporary migrants, are subjected to all of the other facets of slavery as those in the transatlantic slave trade and as those defined by Anti-Slavery International: (1) forced to work through mental or physical threat, (2) owned or controlled by an employer, usually through mental or physical abuse or threatened abuse, (3) dehumanized; treated as a commodity or bought and sold as property and (4) physically constrained and has restrictions placed on his or her freedom of movement (Anti-Slavery International, 2009).

Chapter two pointed to another fundamental similarity in which both institutions of slavery are built on the capitalist notion of free and unfree labour. True of both institutions, unfree reproductive labour of racialized women aided the expansion of capitalism by sustaining the productive labour force with their unfree labour. Although reproductive labour remains a necessity, Canadian society continues to devalue reproductive labour as non-work. Since temporary migrant women are performing unfree reproductive labour, their enslavement is warranted on the basis that migrants are not performing real work and therefore do not deserve the rights and freedoms that come along with performing real work as a Canadian. Like women in the slave trade, temporary migrant women are exploited for their unfree reproductive labour.

A third similarity between the two institutions is that they both resulted in racism. White capitalist patriarchs primarily utilized non-white people as a means to advance their cause. While the transatlantic slave trade physically stole, bound and shackled black people in the South as a means to acquire their unfree labour force, this practice is no longer acceptable. Neo-liberal restructuring has resulted in a series of laws and policies that have economically forced women from economically burdened countries in the South to be exploited by economically stable countries in the North. As Chapter three further argues, it is the temporary migrant status placed upon the migrant women that renders the migrants unfree and ultimately allows the government to exploit them. Migrant women's temporary legal status impedes their ability to gain access to rights in Canada and to defend offences against their human rights, leaving these women vulnerable to all facets of modern slavery.

The fourth similarity between the two systems of slavery is that they both depend upon a system of laws to uphold the slavery. The transatlantic slave trade was upheld by an intricate system of laws, which ultimately denied slaves access to citizenship and therefore subjected them to a different set of laws. These laws, which were highly unethical and based on racist ideologies, afforded the slave drivers the opportunity to exploit the slaves. Documenting the changes made to the immigration policy over the past decade, Chapter five clearly illustrates that the government is changing the policies as a means to gain more control over the migrants and their reproductive labour. The shifting policies are proof of Canada's commitment to the creation and maintenance of the modern institution of slavery as it is apparent that the government has attempted to turn the migrant's temporary legal status into a permanent condition. The policy shift also

indicates that the government's initiative to increase their national comparative advantage has taken precedence over the migrant's human rights. Despite the numerous complaints regarding the treatment of the migrant women in the TFWP, the government has continued to promote and expand the program.

This leads us to the fifth similarity between the two systems of slavery. Both, the institution of transatlantic slavery and modern slavery were implemented as part of a capitalist expansion. As thoroughly explored in chapter six, Canada, a country firmly committed to the ideology of neo-liberalism, has greatly economically benefitted from the recruitment and enslavement of female temporary migrants in both the LCP and the SAWP. It is evident that Canadian employers participating in the LCP have received economic benefits from the cheap wages and slave-like conditions that the migrants are subjected to. However, the economic benefits also extend to the government as they have rid themselves of the state responsibility of caregiving, thereby decreasing national spending. Individual farmers and Canadian consumers of the horticulture industry have similarly benefitted from the low wages and enslaved conditions of the seasonal agricultural workers. The economic benefits from the SAWP come from the country's increased GDP and national comparative advantage on the global scale. It is clear that the Canadian government has put the neo-liberal goals and the economic needs of the country ahead of the rights of the migrant women, resulting in the enslavement of temporary migrant women.

Since there are few other in-depth research studies that have argued that the TFWP is a modern-day institution of slavery, there is a need for much more research in many different areas of this topic. The research carried out in this thesis, however, has

brought up many issues which could not be fulfilled within the scope of the research and therefore require further investigation. First, the scope of the current research focused primarily on the women in the LCP and the SAWP. There is, however, a need to do further research on the unfree labour of the other groups within the TFWP. Second, this research primarily focused on the changes made to the policies of the federal government. However, many changes have also been made at the provincial level. I feel that an additional look at the policy changes made at the provincial level would further support this argument. Finally, length and time restrictions of this research did not permit a discussion on women's agency. I would like to take this opportunity to mention that both slave women and temporary migrant women were both active agents in gaining their own sense of freedom within the institutions of slavery. Slave women played a very large role in their own emancipation as active agents² and given the opportunity, so too can temporary migrant women.

7.2 Recommended Policy Changes

If, in fact, this thesis has been successful in arguing that temporary migrant women are indeed being enslaved for capitalist purposes, numerous changes to Canada's immigration policy should be made. The following is a list of recommendations that I feel could eliminate the modern form of slavery within the TFWP and improve the working and living conditions of temporary migrant women.

² Slave women would often resist their enslaved conditions in numerous different ways including: murdering or poisoning their masters, running away, violence, theft, lightening their workloads and rejecting the worst conditions of slavery (Fox-Genovese, 1988, p. 316).

First, it is recommended that migrants be able to move freely within the market. Migrants' visas should be valid for all employers who are authorized to hire temporary migrants. Thus, if abuses are occurring, migrants have the right to change employers.

Second, it is recommended that the policy which requires migrants to live with or near their employer be eliminated. This simple change in the policy would eliminate the conditions of serfdom and the many slave-like conditions that accompany it, including the paternalistic/maternalistic relationship.

Third, it is recommended that employers be prohibited from paying for migrants' travel or visa expenses before their arrival in Canada, which promotes situations of debt bondage. It would be more appropriate for the governments of Canada and the participating country to be involved in paying for the migrants' expenses. This will alleviate the situation of the employer having control over the migrant and in turn make it easier for migrants to leave in situations of abuse or exploitation.

Fourth, it is suggested that the TFWP be submitted to rigorous government regulation. While there are currently regulations in place to prevent exploitation and enslaved conditions from occurring, these regulations are futile unless they are upheld by a regulating body. The implementation of a regulating body could prevent migrants from being subjected to inhabitable living conditions, could ensure that migrants get paid for over time hours and could also guarantee that migrants have access to all of the rights they are entitled to during their stay within Canada.

Fifth, workers should be covered under health and safety legislation, subject to labour laws and be able to dispute their exploitative situations. This would give migrants a form of agency or a voice in the Canadian system.

Sixth, it is recommended that migrants be required to attend an arrival seminar organized by the Canadian government. These seminars would educate the migrants on their rights and entitlements during their stay in Canada. It is also suggested that these seminars be run in the migrant's native language. Whether migrants speak English or not, all workers must be made aware of their rights in Canada. In addition, the government should ensure in both written and oral form that all migrants are aware of their rights during their stay in Canada.

Seventh, it is recommended that migrants in both the LCP and the SAWP be given the option to access permanent residency upon their initial arrival in Canada. This would not only give migrants access to the same citizenship rights as their Canadian counterparts but it would also eliminate all forms of enslavement that the TFWP perpetuates. In addition, it would give migrants in the SAWP direct access to publically funded social programs such as language and skills training which would give them more options to move within the labour market. This would benefit migrants in the LCP because it would help to eliminate any deskilling that the migrant may be subjected to and ultimately give them equal opportunities within Canada.

As human beings, temporary migrant women should have the right to freedom. They should be able to freely enter and exit the labour market, choose their own employer and the conditions under which they labour, have the right to live and move

whenever and wherever they like, be able to live in their own home, be allowed to bring their children with them, and be paid fair wages. All of this may mean that Canada's national comparative advantage may decrease. However, Canadians have to question a country that would implement a modern institution of slavery as a means to increase the country's global economic status.

Bibliography

- AOG (Auditor General of Canada) (2009). *Chapter 2: Selecting foreign workers under the immigration program* (Fall report of the Auditor General of Canada No. Fall Report). Ottawa, Canada: Auditor General of Canada. http://www.oag-bvg.gc.ca/internet/English/parl_oag_200911_02_e_33203.html
- Acker, J. (2004). Gender, capitalism and globalization. *Critical Sociology*, 3(1), 17-41.
- Agriculture and Agri-food Canada. (2008). *Canadian horticultural sector: Performance overview 2008 crop year*. Stats Canada, Census of Agriculture.
- Alcid, M. L. (2003). Overseas Filipino workers: Sacrificial lambs at the alter of deregulation. In E. Østergaard-Nielsen (Ed.), *International migration and sending countries: Perceptions, policies and transnational relations* (p. 99-120). Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan.
- Anderson, B. (2000). *Doing the dirty work? : The global politics of domestic labour*. New York, New York: Zed Books.
- Anti-Slavery International. *What is modern slavery?* Retrieved October 10, 2009, from http://www.antislavery.org/english/slavery_today/what_is_modern_slavery.aspx
- Appiah, A., & Bunzl, M. (Eds.). (2007). *Buying freedom : The ethics and economics of slave redemption*. Princeton, N.J. ; Oxford, England: Princeton University Press.
- Arat-Koc, S. (1997). From mothers of the nation to migrant workers. In A. B. Bakan, & D. K. Stasiulis (Eds.), *Not one of the family: Foreign domestic workers in Canada* (pp. 53). Toronto: University of Toronto Press.
- Bakan, A., and Stasiulis, D. (1995). Making the match: Domestic placement agencies and the racialization of women's household work. *Signs*, 20(2), 303-335.
- Bakan, A., & Stasiulis, D. (Eds.). (1997). *Not one of the family: Domestic workers in Canada*. Toronto: University of Toronto Press.
- Bales, K. (2004). *Disposable people: New slavery in the global economy* (Rev. ed.). Berkeley: University of California Press.
- Bales, K. (2005). *Understanding global slavery: A reader*. Berkeley: University of California Press.

- Bales, K., & Cornell, R. (2008). *Slavery today*. Toronto: Greenwood Books/House of Anansi Press.
- Balslev Clausen, H., & Valazquez, M. (2007). Migrants, votes, and the 2006 Mexican presidential elections. In E. Ashbee, H. Balslev Clausen & C. Pedersen (Eds.), *The politics, economics, and culture of Mexican-U.S. migration : Both sides of the border*. New York: Palgrave Macmillan.
- Barndt, D. (2002). *Tangled routes: Women, work, and globalization on the tomato trail*. Lanham, Md.: Rowman & Littlefield Publishers.
- Basok, T. (2002). Tortillas and tomatoes: Transmigrant Mexican harvesters in Canada. Montreal: McGill-Queen's University Press.
- Basok, T. (2004). Post-national citizenship, social exclusion and migrants rights: Mexican seasonal workers in Canada. *Citizenship Studies*, 8(1)
- Basok, T. (2008). *Canada's temporary migration program: A model despite flaws*. Retrieved November 1, 2008, from <http://www.migrationinformation.org/Feature/display.cfm?ID=650>
- Beate, A., & Belser, P. (2009). *Forced labour: Coercion and exploitation in the private economy*. International Labour Organization.
- Becerril-Quintana, O. (2011). A new era of seasonal Mexican migration to Canada. *FOCAL, June*. Retrieved from: <http://www.focal.ca/publications/focalpoint/467-june-2011-ofelia-becerril-quintana-en>
- Bill C-11 (2001). The Immigration and Refugee Protection Act (1st Reading November 1st 2001). Retrieved from: <http://www2.parl.gc.ca.proxy.lib.sfu.ca/HousePublications/Publication.aspx?DocId=2330877&Language=e&Mode=1;>
- Bill C-50 (2008). Budget Implementation Act, 39 Parliament, 2nd Session Congress 2008. Retrieved from: <http://www.parl.gc.ca/HousePublications/Publication.aspx?Docid=5144516&File=9>
- Binford, L. (2009). From fields of power to fields of sweat: The dual process of constructing temporary migrant labour in Canada and Mexico. *Third World Quarterly*, 30(3), 503-517.
- Bolaria, B. S., & Li, P. S. (1988). *Racial oppression in Canada* (2nd ed.). Toronto: Garamond Press.
- Brass, T., & Vander Linden, M. (1997). In Lang P. (Ed.), *Free and unfree labour: The debate continues*. New York, NY: Peter Lang AG.

- Brass, T. (1999). *Towards a comparative political economy of unfree labour : Case studies and debates*. Portland, OR: Frank Cass.
- Brickner, R., & Straehle, C. (2010). The missing link: Gender, immigration policy and the live-in-caregiver program. *Policy and Society*, 29, 309-320.
- Bush, B. (1990). *Slave women in Caribbean society 1650-1838*. London: Heinemann Publishers.
- Bush, M. L. (2000). *Servitude in modern times*. Malden, MA, USA: Blackwell Publishers.
- Calliste, A. (1989). Canada's immigration policy and domestics from the Caribbean: The second domestic scheme. In J. Vorst (Ed), *Race, class, gender: Bonds and barriers*. Toronto: Between The Lines.
- Calliste, A. (1996). Gender and history in Canada. In Parr, J., & Rosenfeld, M. (Ed.) *Gender and history in Canada*. Toronto: Copp Clark Ltd.
- Calliste, A. (2000). Nurses and porters: Racism, sexism and resistance in segmented labour markets. In A. M. Calliste, G. J. S. Dei & M. Aguiar (Eds.), *Anti-racist feminism: Critical race and gender studies* (). Halifax, N.S.: Fernwood.
- Canadian House of Commons. (2003). Government response to the report of the standing committee of citizenship and immigration. *Parliament of Canada, October*. Retrieved from <http://www2.parl.gc.ca.proxy.lib.sfu.ca/HousePublications/Publication.aspx?DocId=1117617&Language=E&Mode=1&Parl=37&Ses=2>;
- Castles, S. (2006). Guestworkers in Europe: A resurrection. *International Migration Review*, 40(4), 741-766.
- CBC News. (2005). Day care: Costs to parents. *Canadian Broadcast Company*. Retrieved from: <http://www.cbc.ca/news/background/daycare/daycarecosts.html>
- Cheung, L., L. (2004). Living on the edge: Lone employment gaps for temporary migrant workers in the live-in caregiver program. (Unpublished Masters Thesis, Simon Fraser University).
- Citizenship and Immigration Canada (CIC) (2004). Evaluation of the immigration and settlement assistance program (ISAP). Ottawa, Canada: Citizenship and Immigration Canada. Retrieved from: <http://www.cic.gc.ca.proxy.lib.sfu.ca/english/resources/evaluation/isap/exec-summary.asp>
- CIC (2006). *Temporary foreign worker units*. Backgrounder. Ottawa, Canada: Citizenship and Immigration Canada.

- CIC (2007). Canada's new government makes improvements to the Temporary Foreign Worker Program. News Release. Ottawa, Canada. Citizenship and Immigration Canada
- CIC (a) (2008). Facts and Figures: *Immigration overview: Permanent and temporary migrants*. Facts and Figures 2008, Ottawa, Canada.
- CIC (b) (2008). *Immigration instructions to be governed by fairness, consultation*. Canada News Center. Ottawa, Canada: Citizen and Immigration Canada.
- CIC (c) (2008). *Temporary foreign workers units (Backgrounder)*. Ottawa, Canada: Citizenship and Immigration Canada.
- CIC (d) (2008). *Improvements made to Canada's immigration system*. Ottawa, Canada: Citizenship and Immigration Canada.
- CIC. (2009). Fact and figures: Immigrant overview permanent and temporary residents. Ottawa, Canada: Citizenship and Immigration Canada.
- CIC (a) (2010). Settlement program: Implementation of the modernized approach. Ottawa, Canada: Citizenship and Immigration Canada.
- CIC (b). (2010). Minister Kenney announces improvements affecting temporary foreign workers, including live-in caregivers (News Release No. August 18). Ottawa, Canada: Citizenship and Immigration Canada
- CIC (c). (2010). Facts and figures: Immigrant overview permanent and temporary residents. Ottawa, Canada: Citizenship and Immigration Canada.
- CIC (d). (2010). *Hiring a live-in caregiver*. Retrieved August, 29, 2012, from <http://www.cic.gc.ca.proxy.lib.sfu.ca/english/work/apply-how-caregiver.asp>
- Comack, E. (1999). *Locating law*. Halifax, N.S.: Fernwood Pub. Retrieved from <http://proxy.lib.sfu.ca/login?url=http://site.ebrary.com/lib/sfu/Doc?id=10192128>
- Cooper, A. (2007). *The hanging of Angelique: The untold story of Canadian slavery and the burning of Old Montreal*. Athens: University of Georgia Press.
- Cooper, F., Holt, T. C., & Scott, R. J. (Eds.). (2000). *Beyond slavery : Explorations of race, labor, and citizenship in postemancipation societies*. Chapel Hill, N.C.: University of North Carolina Press.
- Corrigan, P. (1977). Feudal relics or capitalist monuments? Notes on the sociology of unfree labour. *Sociology*, 11(3), 435-463.
- Daenzer, P. (1997). An affair between nations: International relations and the movement between household service workers. In A. B. Bakan, & D. K. Stasiulis (Eds.), *Not*

- one of the family: Foreign domestic workers in Canada* (p. 81). Toronto: University of Toronto Press.
- Davis, B., & Winters, P. (2001). Gender, networks and Mexico-US migration. *Journal of Development Studies*, 38(2), 1-26.
- Delgado, R., & Stefancic, J. (1997) *Critical white studies: Looking behind the mirror*. Philadelphia: Temple University.
- Delgado Wise, R., & Márquez Covarrubias, H. (2008). Capitalist restructuring, development and labour migration: The Mexico-US case. *Third World Quarterly*, 29(7), 1359-1374.
- Department of Finance Canada. (2006). *Advantage Canada: Building a strong economy for Canadians*. Ottawa, Canada: Her Majesty the Queen in Right of Canada.
- Depatie-Pelletier, E. (2010). Restrictions on rights and freedoms of low-skilled temporary foreign workers. *Canadian Issues*, 64. Retrieved from <http://proxy.lib.sfu.ca/login?url=http://proquest.umi.com/pqdweb?did=2081771141&Fmt=7&clientId=3667&RQT=309&VName=PQD>
- Diocson, C. (2001). *Filipino women's identity: A social, cultural and economic segregation in Canada*. Retrieved August, 29, 2012, from <http://pwc.bc.tripod.com/resources/RaceGen/speech.html>
- Diocson, C. (2003). Organizing and Mobilizing Filipino Migrant Women in Canada. Asia Pacific Research Network. http://www.aprnet.org/index.php?option=com_content&view=article&id=163:organizing-and-mobilizing-filipino-migrant-women-in-canada&catid=97-impact-of-globalization-on-women-labour&Itemid=56.
- Dobrowolsky, A (2009). *Neo-liberalism and after?*. In Dobrowolsky A. (Ed.), *Women and public policy in Canada: Neo-liberalism and after?*. Don Mills, Ont: Oxford University Press.
- Dohner, R. and Intal, P. (1989). Debt crisis and adjustment in the philippines. In J. Sachs (Ed.), *Developing country debt and the world economy* (pp. 169-192). Chicago, Il: University of Chicago Press.
- Durant, T. J. (1999). The slave plantation revisited: A sociological perspective. In T. J. Durant, & J. D. Knottnerus (Eds.), *Plantation society and race relations: The origin of inequality* (pp. 1). West Port, Connecticut: Praeger.
- Durant, T. J., & Knottnerus, J.D. ed. (1999). *Plantation Society and Race Relations*. West Port, Connecticut: Praeger Publishers.
- Elgersman Lee, M. (1999). *Unyielding spirits: Black women and slavery in early Canada*

and Jamaica. New York: Garland Pub.

- Elson, D. (1998). The economic, the political and the domestic: Businesses, states and households in the organization of production. *New Political Economy*, 3(2), 189.
- Escobar Latapi, A., & Jassen, E. (2006). Migration, the diaspora and development: The case of Mexico. *International Institute for Labour Studies*. Retrieved November 13, 2011 from:
<http://www.ilo.org/public/english/bureau/inst/publications/discussion/dp16706.pdf>
- Fairey, D., Hanson, C., MacInnes, Glen' Tigar McLaren, Arlene' Otero, Gerardo, Preibisch, K., & Thompson, M. (2008). *Cultivating farmworker rights; ending exploitation of immigrant and migrant farmworkers in BC* (An Economic Security Project Report. Vancouver, B.C.: Canadian Centre for Policy Alternatives (CCPA).
- Foley, M. (1995). Privatizing the countryside: The Mexican peasant movement and neoliberal reform. *Latin American Perspectives*, 22(1), 59-76.
- Fox-Genovese, E. (1988). *Within the plantation household: Black and white women of the old south*. Chapel Hill: University of North Carolina Press.
- Freeman, G., & Kessler, A. (2008). Political economy and migration policy. *Journal of Ethnic and Migration Studies*, 34(4).
- Fuller, S., & Vosko, L. (2008). Temporary employment and social inequity in Canada: Exploring Intersections of gender and immigration status. *Social Indicators Research*, (88), 31-50.
- George, S. (2007). All are compromised by slavery. *British Broadcasting Corporation (BBC)*, Retrieved from
http://news.bbc.co.uk/2/hi/uk_news/england/humber/6419149.stm
- Gibb, H. (2010). Missing from temporary foreign worker programs: Gender-sensitive approaches. *Canadian Issues*, 94. Retrieved from
<http://proxy.lib.sfu.ca/login?url=http://proquest.umi.com/pqdweb?did=2081771211&Fmt=7&clientId=3667&RQT=309&VName=PQD>
- Giroux, H. (2008). Slouching towards Bethlehem: The gilded age neo-liberalism's theatre of cruelty. *Dissident Voice*. Retrieved from:
<http://dissidentvoice.org/2008/03/slouching-towards-bethlehem/>
- GCIM (Global Commission on International Migration). (2005). *Migration in an interconnected world: New directions for action* (Report of the global commission on international migration. Switzerland: SRO-Kundig.

- Glenn, E. N. (1992). From servitude to service work: Historical continuities in the racial division of paid reproductive labour. *Signs*, 18(1), 1-43.
- Goar, C. (2008). Bill would transform immigration. March 26. *The Toronto Star*. Retrieved on February 20, 2011 from: <http://www.thestar.com/columnists/article/350754>
- Goffman, E. (1959). *The presentation of the self in everyday life*. London: Allen Lane.
- Goldring, L. (2010). Temporary worker programs as precarious status. *Canadian Issues*, 50. Retrieved from <http://proxy.lib.sfu.ca/login?url=http://proquest.umi.com/pqdweb?did=2081771161&Fmt=7&clientId=3667&RQT=309&VName=PQD>
- Goli, M. (2009). *The philippine women of canada's live-in caregiver program: Ethical issues and perspectives*. Unpublished MA, Simon Fraser University, Burnaby, BC.
- Hennebry, J. & Preibisch, K. (2010). Not just a few bad apples: Vulnerability, health and temporary migration in Canada. *Canadian Issues*, 73. Retrieved from <http://proxy.lib.sfu.ca/login?url=http://proquest.umi.com/pqdweb?did=2081771181&Fmt=7&clientId=3667&RQT=309&VName=PQD>
- Hlinka, M. (2009). There are jobs if people are willing to work. *Canadian Broadcasting Corporation (CBC)*, Retrieved from: http://www.cbc.ca/money/moneytalks/2009/09/michael_hlinka_there_are_jobs.html
- hooks, bell (1981). *Ain't I a woman : Black women and feminism*. Boston, Mass.: South End Press.
- Hoschild A., & Machung, A. (1989). In Viking. (Ed.), *The second shift: Working parents and the revolution at home*. New York, N.Y. Viking Penguin.
- Howlett, M., & Ramesh, M. (2003). *Studying public policy: Policy cycles and policy subsystems*, 2nd ed., Toronto: Oxford University Press.
- Human Resources and Skills Development Canada (HRSDC) (2011). *Temporary foreign worker program: Changes made to the live-in caregiver program*. Retrieved April 9, 2009, from http://www.rhdcc-hrsc.gc.ca/eng/workplaceskills/foreign_workers/questions-answers/lcp.shtml
- Human Resources and Skills Development Canada (HRSDC). (2012). *Live-in caregiver program: Wages, working conditions and occupation*. Retrieved August 29, 2012, from http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/caregiver/wages.shtml

- HRSDC. (2012). *Temporary foreign worker program*. Retrieved August, 29, 2012, from http://www.hrsdc.gc.ca.proxy.lib.sfu.ca/eng/workplaceskills/foreign_workers/contr-acts-forms/sawpmcbc2012.shtml
- Immigration and Refugee Protection Regulation (IRPR). (2002). (SOR/2002-227). Department of Justice. Retrieved from: <http://laws-lois.justice.gc.ca/eng/regulations/SOR-2002-227/page2.html?term=definitions+caregiver+live-in#s-2>.
- Immigration policy shifts: From nation building to temporary migration.(2010). *Canadian Issues*, 90. Retrieved from <http://proxy.lib.sfu.ca/login?url=http://proquest.umi.com/pqdweb?did=2081771201&Fmt=7&clientId=3667&RQT=309&VName=PQD>
- Jackman, M. R. (1994). *The velvet glove : Paternalism and conflict in gender, class, and race relations*. Berkeley: University of California Press.
- Kolchin, P. (1987). *Unfree labour: American slavery and Russian serfdom*. Cambridge, Mass.: Belknap Press of Harvard University Press.
- Krissman, F. (1997). California's agricultural labour market: Historical variations in the use of unfree labour, 1769-1994. In T. Brass, & M. van der Linden (Eds.), *Free and unfree labour: The debate continues* (pp. 201). Bern: Peter Lang.
- Li, M. (2008). An age of transition. *Monthly Review: An Independent Socialist Magazine*, 59(no.11), 20-34.
- Lindio-McGovern, L. and Wallimann, I. (2009). Introduction: Globalization and third world women: Exploitation, coping and resistance. In Lindio-McGovern, L. and Wallimann, I. (Ed.), *Globalization and third world women: Exploitation, coping and resistance* (pp. 1-14). Farnham, England; Burlington, VT: Ashgate Pub.
- Lindstrom, V. (2003). *Defiant sisters: A social history of Finnish immigrant women in Canada* (3rd ed.). Beaverton, Ontario: Aspasia Books.
- MacGregor, B., & Love, L. (2009). *Immigration update 2009*. Employment and Migration Working Paper. Gowling, Lafleur, Henderson LLP.
- Macklin, A. (1992). Women as migrants: Members in national and global communities. *Canadian Women's Studies*, 19(3), 24.
- Macklin, A. (1994). On the inside looking in: Foreign domestic workers in Canada. In W. M. Giles, & S. Arat-Koc (Eds.), *Maid in the market : Women's paid domestic labour* (pp. 138). Halifax, N.S.: Fernwood.

- Manu, V. (2010). Budget 2010 and the universal child care benefit: An inquiry into the gendered childcare in Canada. *Canadian Journal of Women and the Law*, 22(1), 241-246.
- Marshall, T. H., & Bottomore, T. B. (1992). *Citizenship and social class*. London: Pluto Press.
- Marx, K. (1942). Karl Marx: Selected Works, vol. 2. (1942). Paraphrase of the opening sentences of The Eighteenth Brumaire of Louis Bonaparte (1852).
- Marx, K & Elster, J. (1986). *Karl Marx: A reader*. Cambridge; New York, NY: Press Syndicate of the University of Cambridge.
- McBride, S., McNutt, K., & Williams, R. (2007). Tracking neo-liberalisms: Labour market policy in the OECD. In S. Lee, & S. McBride (Eds.), *Neo-liberalism, state power and global governance* (pp. 79-93) Dordrecht.
- McLellan, D. (Eds.). (1977). Karl Marx: *Selected writings*. Oxford: Oxford University Press.
- Meyers, E. (2000). Theories of international immigration policy: A comparative analysis. *International Migration Review*, 34(no.4), 1245-82.
- Mies, M. (1986). Patriarchy and accumulation on a world scale: Women in the international division of labour. Atlantic Highlands, NJ: Zed Books.
- Mies, M. (1998). Globalization of the economy and women's work in a sustainable society. *Gender, Technology and Development*, 2(1), 3-37.
- Miles, R. (1987). *Capitalism and unfree labour: Anomaly or necessity?*. New York: Tavistock Publications.
- Miranda, S., P. (2007). Exploring themes in scholarship on twentieth century domestic work in Canada and the United States. *Left History, Fall/Winter*(12.2)
- Moitt, B. (2001). *Women and slavery in the French Antilles, 1635-1848*. Bloomington: Indiana University Press.
- Morris, C. (1995). *Becoming southern: The evolution of a way of life, Warren County and Vicksburg, Mississippi, 1770-1860*. New York: Oxford University Press.
- National Union Research. (2007). *Canada: The land of denied opportunity*. (NUPGE) National Union of Public and General Employees.

- Niren, M. (2010). Minister Kenney's August 18, 2010 press release: Changes to temporary foreign workers, including live-in caregivers - an analysis. Message posted to <http://www.chaudharylaw.com/site/cms/minister-kenney's-august-18-2010-press-release-changes-to-temporary-foreign-workers-including-live-in-caregivers-an-analysis/>
- Overbeek, H. (2002). Neo-liberalism and the regulation of global labour mobility. *American Academy of Political and Social Science*, 581(May), 74-90.
- Panusa, G. (2008). Bill C-50: A new era in immigration. Retrieved from: <http://blog.entercanada.ca/2008/04/bill-c-50-new-era-in-immigration.html>.
- Parks Canada. (2007). The underground railroad in Canada. National Archives of Canada. Retrieved from: http://www.pc.gc.ca.proxy.lib.sfu.ca/canada/proj/cfc-ugrr/cfc-ugrr2_e.asp
- Parrenas, R. S. (2001). *Servants of globalization : Women, migration and domestic work*. Stanford, Calif.: Stanford University Press.
- Parrenas, R. S. (2006). *The force of domesticity*. NY, New York: New York University Press.
- Patterson, O. (1982). *Slavery and social death: A comparative study*. Cambridge, Mass.: Harvard University Press.
- Pessar, P., & Mahler, S. (2003). Transnational migration: Bringing gender in. *International Migration Review*, 37(3), 812-846.
- Philippine Women Center of Ontario. (February 17, 2012). *Progressive Filipino Canadian women once again heighten its call to end modern-day slavery in Canada*. Retrieved August, 29, 2012, from <http://www.magkaisacentre.org/2012/02/17/1121/>
- Philippine Women Center of Quebec. (2011). *Philippine women center of Quebec celebrates the 100th anniversary of international women's day - the struggle towards genuine women's liberation continues*. Retrieved August, 29, 2012, from <http://www.kapitbisigcentre.org/?m=201103>
- Pineda-Ofreneo, R. (1991). *The Philippines: Debt and poverty*. Oxford: Oxfam.
- Pratt, G. (1999). Is this Canada?: Domestic workers experiences in Vancouver. In J. Momsen (Ed.), *Gender, migration and domestic service* (pp. 23-42). London; New York: Routledge.
- Preibisch, K. (2007). Local produce, foreign labour: Labour mobility programs and global trade competitiveness in Canada. *Rural Sociology*, 72(3), 418-489.

- Preibisch, K., & Binford, L. (2007). Interrogating non-white global labour supply: An exploration of the Racial/National replacement of foreign agricultural workers in Canada. *The Canadian Review of Sociology and Anthropology*, 44(1), 5.
- Preibisch, K., & Hermosa Santamaria, L. M. (2006). Engendering labour migration: The case of foreign workers in Canadian agriculture. In E. Tastsoglou, & A. Z. Dobrowolsky (Eds.), *Women, migration, and citizenship : Making local, national, and transnational connections* (pp. 258). Aldershot, Hants, England ; Burlington, VT: Ashgate.
- Preibisch, K. L., & Grez, E. E. (2010). The other side of el otro lado. *Signs: Journal of Women in Culture and Society*, 35(2), 289-316.
- Pyle, J. & Ward, K. (2003). Recasting our understanding of gender and work during global restructuring. *International Sociology*, 18, 461-489.
- Reed, A. (2008). Canada's experience with managed migration: The strategic use of temporary foreign worker programs. *International Journal*, Spring
- Rolbin-Ghanie, M. (2008). A nation of carefully selected immigrants. *The Dominion: News from Grassroots*, 52.
- Sassen, S. (2000). Regulating immigration in a global age: A new policy landscape. *Annals of the American Academy of Political and Social Science*, 570(Dimensions of Globalization), 65-77. Retrieved from <http://links.jstor.org.proxy.lib.sfu.ca/sici?sici=0002-7162%28200007%29570%3C65%3ARIAGA%3E2.0.CO%3B2-T>
- Sassen, S. (2002). Counter geographies of globalization: Feminization of survival. In K. Saunders (Ed.), *Feminist post-development thought: Rethinking modernity, post-colonialism & representation* (pp. 368). London: Zed.
- Satzewich, V. (1991). Racism and the incorporation of foreign labour: Farm labour migration to Canada since 1945. London; New York: Routledge.
- Satzewich, V. (2007). Business or Bureaucratic Dominance in Immigration Policymaking in Canada: Why was Mexico included in the Caribbean Season Agricultural Workers Program in 1974? *Journal of International Migration and Integration*, 8: 255-275.
- Sharma, N. (2006). Home economics: Nationalism and the making of 'migrant workers' in Canada. Toronto: University of Toronto Press.
- Simmons, A. (1998). Racism and immigration policy. In V. Sastewich (Ed.), *Racism and social inequality in Canada: Concepts, controversies and strategies of resistance* (pp. 87-114). Toronto: Thompson Educational Pub.

- Smith, M., M. (1998). *Debating slavery: Economy and society in the antebellum American south*. Cambridge, United Kingdom: Cambridge University Press.
- Stasiulis, D. K., & Bakan, A. B. (Eds.). (2005). *Negotiating citizenship: Migrant women in Canada and the global system*. Toronto; Buffalo: University of Toronto Press.
- Statistics Canada. (2003). Wage survey of seasonal workers in the horticultural sector.
- UNDP (United Nations Development Programme) – Human Development Report Office. 1995. *Human Development Report 1995*. New York: Oxford University Press.
- UNDP (United Nations Development Programme) – Human Development Report Office. 2005. *Human Development Report 2005*. New York: Oxford University Press.
- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, article one U.S.C. (1956).
- Thobani, S. (2007). *Exalted subjects : Studies in the making of race and nation in Canada*. Toronto; Buffalo: University of Toronto Press.
- Universal declaration of human rights. (1949). (p.1) United Nations General Assembly.
- Uttal, L. (2006). Making care work: Employed mothers in the new childcare market. In Zimmerman, M.K, Litt, J.S., Bose, C.E. (Ed.), *Global dimensions of gender and carework* (pp. 217-225). Stanford, California: Stanford University Press.
- Van Der Anker, C. (Ed.). (2004). *The political economy of new slavery*. Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan.
- Verduzco, G., & M. I. Lozano. (2003). Mexican farm workers' participation in Canada's seasonal agricultural labour market and development consequences in their rural home communities. Ottawa: North-South Institute.
- Verma, V. (2003). The Mexican and Caribbean seasonal agricultural workers program: Regulatory and policy framework, farm industry level of employment practices, and the future of the program under unionization. Canada: North South Institute.
- Verma, V. (2007). The regulatory and policy framework of the Caribbean seasonal agricultural workers program.
- Villarreal, M., & Davy, M. (2007). Sending home money: The dynamics of Mexico-US remittances. In E. Ashbee, H. Balslev Clausen & C. Pedersen (Eds.), *The politics, economics and culture of Mexican-US migration: Both sides of the border*. New York: Palgrave Macmillan.

- Vosko, L. F. (2003). The pasts (and futures) of feminist political economy in Canada: Reviving the debate. In C. Andrew (Ed.), *Studies in political economy: Developments in feminism*. Toronto: Women's Press.
- Walia, H. (2010). Transient servitude: Migrant labour in Canada and the apartheid of citizenship. *Race and Class*, 51(1), 71-84.
- Wallerstein, I. M. (1974). *The modern world-system*. New York: Academic Press.
- Washington, M. (2009). In Urbana (Ed.), *Sojourner Truth's America*. Chicago: University of Illinois Press.
- Weedon, C. (2002). Key issues in postcolonial feminism: A western perspective. *Gender Forum*, 1.
- Williams, E. E. (1966). *Capitalism and slavery*. New York: Capricorn Books.
- Woodhouse, H. (2009). *Selling out : Academic freedom and the corporate market*. Montréal: McGill-Queen's University Press.
- Woollacott, A. (2006). *Gender and empire*. Basingstoke England ; New York: Palgrave Macmillan.
- Work Permit. (2007). Canada improves temporary foreign worker program. *Work Permit*, Retrieved from http://www.workpermit.com/news/2007_03_02/canada/improves_temporary_foreign_worker_program.htm
- World Bank. (2005). *Economic growth in the 1990s: Learning from a decade of reform*. Washington, DC: World Bank.
- Worswick, C. (2010). Temporary foreign workers: An Introduction/travailleurs étrangers temporaires : Une introduction. *Canadian Issues*, , 3. Retrieved from <http://proxy.lib.sfu.ca/login?url=http://proquest.umi.com/pqdweb?did=2081771041&Fmt=7&clientId=3667&RQT=309&VName=PQD>
- Zaman, H. (2006). *Breaking the iron wall : Decommodification and immigrant women's labour in Canada*. Lanham, MD: Rowman & Littlefield Publishers, Inc.

