A PAN-CANADIAN SETTLEMENT VOICE:
CONSTRAINTS AND OPPORTUNITIES

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Each year, more than 200,000 persons arrive in Canada seeking to make a new home here. They form part of a growing transnational flow of individuals, goods, services, information, and ideas that characterize a globalized world. Canada needs these newcomers and has a strong interest in ensuring their settlement, including labour market integration, access to education, and civic participation. Newcomers also bring with them new perspectives on governance and social issues. As they move to claim social and political citizenship in Canada, thereby placing their own demands on the system, they challenge the nature of existing institutions and policies.

Under conditions of globalization, governance occurs at various levels, in the economic marketplace and in society, within states and transnationally. Power is fragmented and reconstituted in many different centres. In Canada, a three-tier structure of federal, provincial, and municipal governments may be inadequate for meeting the complexities of contemporary immigration. Similarly, existing nongovernmental voices on issues of immigration and settlement may lack the resources to master these complexities.

This briefing paper discusses advocacy pertaining to immigration and settlement issues within the context of various legislative, constitutional, and political factors found at various levels of government. Its purpose is to provide a background for discussions regarding the creation of a new pan-Canadian settlement voice. It begins with a brief overview of past advocacy efforts in Canada, including relations between the state and various ethnic organizations. Next, questions of representation for ethnoracial minorities and newcomers are addressed. Third, we examine jurisdictional questions as outlined in Canada's constitution and legislation. Fourth, we look at several factors in the overall political environment that impact advocacy organizations in Canada: decentralized governance, a model for relations between the state and advocacy organizations that favors cooperation over conflict, and funding dependency. The concluding section reviews the contents of the paper in brief and restates our central finding: the impact of advocacy efforts is contingent on a complex set of evolving relations with government agencies, involving both collaboration and conflict.

HISTORICAL CONTEXT: SETTING THE STAGE FOR ADVOCACY

The core fact of white Canadian history has been the relationship between the British and the French. The French retained distinctive cultural features such as language rights, the civil code, and control over education at the time of Confederation. That the British North America Act recognized certain rights for religious groups and for linguistic groups set the tone for a collectivist notion of rights in Canada and would foster the eventual acceptance of a pluralistic society.
For newcomers to Canada, however, it would be more than a century before federal policies treated them as valuable assets to Canadian society. Historically, newcomers relied only on themselves and on their own ethnic communities to adapt to life in Canada. Canadian institutions were far removed from the everyday lives of immigrants, and opportunities for access were few. With postwar economic expansion and the rising importance of the welfare state, the situation improved. The liberalisation of Canada’s immigration policy in 1967 created more diverse immigrant cohorts and produced larger and more politically active ethnocultural communities.

Aided by funding opportunities arising from the 1971 multiculturalism policy, immigrants were able to move beyond self-help to broader advocacy campaigns, often hoping to transform mainstream organizations. During this time, one could witness the creation of a range of consultative mechanisms through which community voices were heard (Siemiatycki et al 2003: 415). One was via the Canadian Ethnocultural Council (CEC). In the mid- to late 1980s, members of the CEC met annually with members of Parliament and worked on various policy issues, including the repeal of the War Measures Act, Redress for Japanese Canadians, and implementation of the Employment Equity Act. During this time, the CEC had a significant, positive influence on public policy, culminating in the 1988 Multiculturalism Act (Kobayashi 2000).

Case Study: The Canadian Ethnocultural Council

The Canadian Ethnocultural Council (CEC) is an umbrella organization for Canada's various national ethnic associations. The CEC was created in 1980 to coordinate representation of ethnic communities' interests in the federal policy process. CEC policy positions are decided upon by its Board of Presidents, which consists of the presidents of all the member associations. As of September 2004, the CEC had 33 member associations.

The CEC's main activities have been representations to the government on behalf of ethnocultural groups. Representatives from the CEC have appeared before parliamentary committees addressing such issues as the constitution, opportunities for visible minorities, employment equity, redress for Japanese Canadians, and immigration. The CEC has been the most active organization in Canada in terms of multiculturalism policy, successfully working to strengthen the contents of what would become the Canadian Multiculturalism Act in 1988.

In the early 1990s, the influence of the CEC began to wane. From 1993 until the end of the decade, the CEC struggled with financial cutbacks and internal shifts in orientation and structure. The CEC, always a vocal critic of government policies, has been heavily dependent on government funding. By the late 1990s, the CEC had undergone a major internal policy shift. It had begun to focus less on the federal government as the sole funder of and target for its advocacy. Instead, it sought to work more closely with like-minded partners, to share resources, and to increase various lobby and educational efforts. Within the CEC, the diversity of member organizations, combined with their limited resource base, continued to pose challenges, but, at the same time, highlighted the importance of endeavors undertaken by this umbrella organization.

Since its origins, the CEC's effectiveness has been shaped by the wider political context and orientation of the federal government. When policy trends have been sympathetic, the CEC has been able to advance its goals. In a more constrained climate, the CEC has had difficulty even maintaining
itself as a vibrant organization, much less advancing policy goals. The impact of trends in the broader political climate on advocacy associations cannot be overstated. Government priorities in terms of policies and funding are beyond the control of nongovernmental associations, yet they influence the issues these associations can mobilize around as well as the impact of mobilization.

Sources: Pal 1993: 203-09; Kobayashi 2000; CEC website (www.ethnocultural.ca)

In the wake of economic slowdown and the eruption of constitutional issues in the early 1990s, governments have retreated from their commitments to social services, multiculturalism, and equity initiatives. Settlement services received a disproportionate share of government cuts, and immigrant community associations have been in crisis (Richmond 1996, Simich 2000). These public policy changes occurred in a context when newcomers to Canada were more diverse than ever, and when settlement was becoming more suburbanized. During the 1990s, the budget for multiculturalism was reduced substantially, and the government moved away from directly funding ethnospecific organizations. Instead, organizations were increasingly funded on a project-by-project basis, thereby rendering them both less stable and more dependent on government agendas. Equity initiatives were also scaled back, most notably with the 1995 repeal of the short-lived Employment Equity Policy in Ontario. In short, funding cutbacks mean that nonprofit agencies have very limited resources for advocacy, including research, policy input and analysis, and community development.

Ethnic organizations formed by immigrants from Europe now face shrinking membership and fewer activities. In contrast, membership in ethnoracial minority associations is perpetuated through ongoing immigration, linguistic, social, and racial barriers to entering Canadian society, and the much-needed social services provided by many of the newer associations. In brief, ethnoracial communities are characterized by complexity in terms of their identities as well as their needs.

REPRESENTATION AND ADVOCACY

Who speaks for ethnoracial minorities and newcomers? Newcomers to Canada must become citizens before they can vote. Among Canadian citizens, birthplace and length of residence show no effect on levels of political participation (Chui, Curtis, and Lambert 1991). In terms of conventional representation -- that is, holding elected office -- ethnoracial minorities and immigrants have never been present in federal and provincial legislatures in comparison to their presence in the population at large. Even in municipal politics, where ethnoracial groups are most likely to be able to wield power through residential segregation, structural barriers to political participation exist (Bird 2004).

Even if political participation levels were high, one cannot expect the voting process to address settlement needs: many newcomers don't have the vote, and elections are about many aggregate issues. Moreover, a recent study of electoral politics in Toronto found that ethnoracial minorities were underrepresented on two counts. First, they were badly underrepresented in terms of who holds elected office. Second, the few ethnoracial politicians who do hold office “typically do a poor job of reflecting their own
community’s interests” (Siemiatycki and Saloojee 2002: 242). Analysis of the voting record of visible minority city councillors revealed them to be more conservative than the record of city council taken as whole, prompting the authors to conclude that identity does not determine policy preferences (Siemiatycki and Saloojee 2002: 265-8).

Advocacy around immigration and settlement issues has instead been pursued by a range of non-governmental organizations. Most notable is the role of national umbrella organizations such as the CEC and the Canadian Council for Refugees (CCR) as well as the provincial umbrella associations of immigrant serving agencies, including the Ontario Coalition of Agencies Serving Immigrants (OCASI), the Affiliation of Multicultural Societies and Service Agencies (British Columbia), and Table de concertation pour les refugies et immigrants (Quebec).

The political role of local immigrant and ethnocultural associations remains largely undocumented. Certainly, they have been shown to play a positive role in assisting settlement and aiding integration in places of settlement (Thomas and Znaniecki 1927, Layton Henry 1990, Rex 1987). Under the multiculturalism program, many associations were dependent on the government for funding, though funding has shifted to support of programs as opposed to associations. An ongoing tension is that immigrant serving agencies desire to engage in effective social advocacy, with the government as their primary target, yet they depend heavily on government funding.

Some ethnoracial groups have been more active than others. Leaders who have been in Canada the longest are more likely to believe that politicians took their views seriously. Those who are newer are less confident in being taken seriously by government officials. As a result, they are less likely to rely on community organizations for various types of advocacy (Breton 1991). This also holds true at the local level: there are wide disparities in the ability of different ethnoracial groups to have their voices heard by municipal officials or represented in community forums. Newer and smaller communities are not well-represented (Friskin and Wallace 2003).

The question of representation is crucial for newcomer communities. In Canada, policy directions are not simply framed by state officials and imposed from the top down. Various members of the policy community, including non-state actors such as advocacy groups, academics, research think-tanks, and other interested parties help to put issues on the public agenda and to define policy directions (Pal 2001). If the voices of newcomers and those interested in settlement issues are not heard, then policies may not address their needs: policy outcomes affect different groups differently. Just as feminist scholarship has drawn attention to the differential impact of policies on men and women, other forms of marginalization and exclusion may adversely affect newcomer and racialized populations (Abu-Laban and Gabriel 2003: 23).

Newcomers to Canada and their descendants should ultimately be able to partake not only of formal political citizenship, but also of social citizenship, the establishment of social ties that engender participation in a society. Social citizenship emphasizes social relations as well as political identity, embracing full participation in social, cultural, economic and political life as well as a commitment to human rights and social justice. It entails full membership in a society.
Issues pertaining to immigration are handled by various levels of government, and this complexity must be taken into account by advocacy organizations. Municipalities are on the front lines when it comes to the reception of newcomers. Large cities and urban regions (city-regions) are often the first to confront social changes and to witness new situations not already addressed by central governments. They must act quickly, thereby shaping new policy directions. Yet – as creations of provincial governments -- they have very limited autonomy to create and implement policies on their own (Friskin and Wallace 2003).

Under the Canadian constitution, the federal government has power over immigration concurrently with the provinces. Federal laws prevail in the event of a dispute. The federal government has attempted to devolve responsibility for immigrant settlement to provincial governments, calling this “settlement renewal.” Not all provinces have accepted this added role. For example, under the Progressive Conservative government elected in Ontario in 1995, most provincial immigrant support programs were dismantled or funding reduced (Frisken and Wallace 2003). However, negotiations are ongoing, and there has been some movement recently with experiments in new forms of representation and planning, e.g., Toronto Region Immigrant Employment Council and the tripartite agreements in Vancouver and Winnipeg.

Citizenship and Immigration Canada is the federal department that deals directly with immigration and settlement issues in terms of funding and mandate. However, other federal departments are also involved in settlement issues, but without a formal mandate. These include Canadian Heritage, Human Resources and Skills Development Canada, Social Development Canada, Industry Canada, and Health Canada.

In addition to specific responsibilities for immigration and settlement, the federal government guarantees certain rights for newcomers under the 1982 Charter of Rights and Freedoms. According to the Charter, everyone in Canada has a right to life, liberty and security of the person, and any deprivation of these rights must be in keeping with principles of fundamental justice. Section 15 (1) of the Charter states: “Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, with discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.” Furthermore, Section 27 of the Charter states: “This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.” These sections provide a legal framework within which policy-making and representation ought to occur. But it is also the case that legal citizenship rights do not erase decades of exclusion based on race, origin, sex, or other identity markers.

The 1988 Multiculturalism Act acknowledged multiculturalism as a fundamental characteristic of Canadian society and integral to the federal decision-making process. The Act gave the force of law to the principles of racial and cultural equality. Though the Multiculturalism Act directly addresses the role of Canada's ethnic communities at the federal level, the impact of the Act has been largely symbolic. Indeed, a study in this area found that most ethnic communities did not see official multicultural policies as influencing their vibrancy. Rather, advocates were more concerned with Charter and other legal instruments (Graham 2000, cited in Jedwab 2002: 80)
The Canadian framework outlined above reveals a unique configuration of national-level as well as provincial policies and programs that impact how immigration and settlement issues are defined and debated. States administer difference in ways that influence issues of representation as well as of claims-making (Blanshay 2002).

DECENTRALIZED GOVERNANCE

The decisions of individuals and groups to mobilize around various issues is influenced by factors in the overall political environment, factors beyond the immediate control of a group or organization (Tarrow 1998; Kitschelt 1986). In addition to influencing whether groups will engage in collective action, these factors may also have a significant impact on policy outcomes. They help explain why advocates' chances of engaging in successful collective action vary over time and why similar challenges may meet with very different results in different places.

In Canada, we identify several important contextual factors that affect opportunities for settlement-oriented advocacy. The most important is that Canada is characterized by decentralized governance, including openness to input, combined with a lack of capacity to impose policy outputs. As shown in the previous section, immigration and settlement decisions are made at various levels of government. This provides advocacy groups with multiple points of access to decision-makers. Immigration is a federal program, so organizations such as the CCR or CEC may hold up their pan-Canadian support base to lend credibility to their positions. However, the provinces are increasingly involved in immigration, so having a presence in regions that receive most newcomers is also important.

Advocacy organizations also benefit from the federal government's commitment to maintaining immigration at current levels or above. It could be argued that it is inconsistent to promote immigration while at the same time scaling back in the areas of multiculturalism and equity. Nonetheless, governments have a vested interest in seeing the integration of its newcomers into the labor market, educational systems, and other aspects of Canadian society. Organizations with a track record in facilitating various aspects of integration will be more likely to gain the ear of government than those which have little experience in settlement issues.

The flip-side of the openness outlined above is the lack of capacity to determine policy directions on the output side. In other words, groups have to influence more than one level of government to make an impact. Fragmentation between and within levels of government means that advocates must pursue a “divide and conquer” strategy, and that the policy outcomes are not as far-reaching as they might be in more centralized states.

GROUP-STATE RELATIONS AND THE FUNDING CONTEXT

A second distinctive feature of the Canadian context within which advocacy organizations work is overall relations between government and advocates/activists that tends more toward cooperation than adversarial relations. In this model, agreements are reached after a process of interaction between governments (at various levels and in various departments) and non-governmental actors. Research on interest groups in
Canada indicates that the most successful relationships are built on consultation and the search for consensus -- not competition -- between groups, the bureaucracy, and the government (Jedwab 2002: 77). In a survey of advocacy-oriented associations in Ontario, most associations claimed to work consistently with the government as opposed to engaging in higher profile activities such as marches or even petition drives (Wayland 1995). Most associations had contact with government via organizing meetings, attending consultations, and submitting briefs.

An important aspect of this relationship is the fact that many ethnoracial and immigrant serving associations rely heavily on government funding for their operations. Various researchers have pointed to how the contemporary funding environment poses serious challenges for the sustainability of non-profit agencies. A study by the Canadian Council on Social development (Scott 2003) found that new funding strategies can create instability within the nonprofit and voluntary sector and pointed to numerous “worrisome trends” including reporting overload, loss of infrastructure, and human resource fatigue. The report also decried “advocacy chill,” the reluctance of funding-dependent organizations to be outspoken on behalf of their client group.

However, there are many cases where advocacy groups that rely on government funding have remained critical of government policies. In his landmark study of Canadian advocacy organizations in the areas of language, multiculturalism, and feminism, Pal (1993) found no evidence that state funding led to co-optation of advocacy organizations. In fact, his conclusions were the opposite: “the most prominent and well-funded organizations are often the government's most strident and articulate critics” (264). In other cases, non-profit organizations in British Columbia were able to successfully challenge government policies and restructuring initiatives by forming broad-based anti-poverty coalitions with other non-profit agencies (Creese 1998). In Quebec, the community and social economy sector became an increasingly prominent voice for economic and social development in the 1990s. During this period, it became more institutionalized in that that was increasingly recognized as an important player in service delivery, yet it was not co-opted by the state. However, their role was diminished by the Charest government, elected in April 2003, which viewed the community organizations only as inexpensive service deliverers, without their own social and political agency (Caillouette 2004).

In conclusion, evidence is mixed regarding the impact of government funding on advocacy organizations. Some organizations are able to find ways to effectively criticize government policies, such as by banding together to form coalitions, while others are more hesitant in this funding environment. Those in government have the upper hand in terms of resources, but they also depend on front-line agencies for program delivery, and on approval from the grass roots for legitimacy.

MAIN FINDINGS AND CONCLUSION

This paper has addressed numerous points which can be summarized as follows.

- Immigration poses challenges to existing policies: new issues and concerns arise, and new voices are added to policy debates.
- Canada has a distinctive history that is characterized by the accommodation of some
groups and the recognition that cultural pluralism is a reality. This sets the tone for contemporary claims around issues of settlement, equity, and questions of diversity.

- Immigrants and ethnoracial minorities tend to be underrepresented in electoral politics, though established groups do better. Under-representation of the newest arrivals also holds true for advocacy organizations. Most active are the umbrella associations for immigrant serving agencies, who speak for a wide range of ethnoracial groups.

- Federal and provincial governments each have jurisdiction over various aspects of immigration and settlement. Municipalities, which are on the front lines when it comes to the reception of newcomers, are asking for more autonomy. Recently, there have been experiments with new forms of representation and planning.

- Advocacy organizations must work within a broader political and economic climate. This includes how immigration and settlement issues are defined and administered by various government agencies in a state characterized by decentralized governance and an expectation that advocacy organizations will participate in meetings and consultations when requested to do so.

- Some funding-dependent organizations experience “advocacy chill,” a reluctance to be outspoken on behalf of their client group, while others continue to be critical of government policies and programs.

The above points have been made in support of the overarching thesis that, for an advocacy organization, success depends on a complex set of evolving relations involving collaboration and conflict, between organizations and government actors. Secondarily, many advocacy organizations are heavily dependent on government funding, and this entails some loss of autonomy for those organizations.

Indeed, the external opportunities and constraints that advocacy organizations face relate to their own internal challenges. As we have seen, organizations operate within shifting socioeconomic and political trends. Whether they are successful in their advocacy efforts depends not only on those trends but also on their own internal resources, namely adaptability, ingenuity, and solidarity – both as individual associations and within broader coalitions.
REFERENCES


Richmond, Ted. 1996. Effects of Cutbacks on Immigrant Service Agencies. Toronto: City of Toronto Public Health Department.


