

International Perspectives on Immigrant Service Provision

Myer Siemiatycki, Ryerson University
&

Phil Triadafilopoulos, University of Toronto

The View From Abroad

- How Do Other Federal States Handle Immigration Responsibilities?
- Implications for Immigrant Integration?
- Research Done for the Mowat Centre in Context of COIA Re-Negotiation
- Focus was Newcomer Service Provision
- We Examine Experience of the United States, Australia, Germany & Devolutionary Britain
- “All four of the countries we examined demonstrate a trend towards devolution to sub-national jurisdictions in immigration matters.”
- Today We Summarize: How Intergovernmental Relations in Immigration Matters are Changing in these Countries & Implications for Integration

Key Themes

- Immigration long regarded as critical area of **national** interest and central state jurisdiction
- Emergence of Multi-Level Governance in Immigration is “a reminder that there are few timeless truths where federalism is concerned.” A Reflection of Dynamic Federalism (Varsanyi et al)
- The Drivers of Re-Scaling Vary By Country & Affect Integration Outcomes
 - National Government Downloading VS. Sub-National Assertiveness
 - Enforcement & Cost-Cutting Goals VS. Human Capital Investment & Human Rights Goals
- Re-Scaling of Immigration Responsibilities Reflects Core Political Values of Host Society & their Governments towards Migration
 - Political Choices, Interests & Dynamics Underlying Inter-Governmental Change

The United States: I

- From Federal 'Plenary Power' over Immigration to 'Immigration Federalism'
 - “a contemporary revolution in federal-state relations” (Wishnie)
- Long Tradition of Exclusive Federal Control over Immigration
- Minimal Government Role in Immigrant Settlement Services
- 'Immigration' not Referenced in U.S. Constitution, but Courts Interpreted Naturalization, Foreign Policy & Trade to Infer Exclusive Federal Power
- Significant Devolution of Immigration Responsibilities in Recent Years to States & Municipalities
- Occurring in Climate of Heightened Concern over National Security, Illegal Immigration and Public Spending
- Devolution Largely Driven by Federal Downloading in Welfare & Policing
- 1. 1996 Federal Devolution of Welfare Eligibility-Determination to States Based on Citizenship Status
 - Welfare, Food Stamps, Medicaid

United States II

- 2. 1996 Federal Permissive Devolution of Immigration-Status Enforcement To State & Local Police
 - 71 State & Local Authorities Have Signed On
 - Arizona Immigration Law Most Contentious: “The End of Immigration Federalism?”
- In 2008, US States passed 1500 immigration laws:
 - “States continue forging ahead with record levels of immigration-related legislation.” (National Conf. of State Legislatures, 2009)
- Impact of Greater State Role on Integration is Uneven
- In Some States: Fear, Criminalization, Deportation, & Reduced Social Service Supports in immigrant Communities
 - 2007: >50% Latinos Surveyed in US feared ‘they or someone close to them’ could be deported in current climate
 - ‘Dramatic Reduction’ in non-citizen eligibility for welfare supports
- In Some States: States Have Been More Generous than Federal Government in Providing BOTH Welfare Supports and Settlement Services to Immigrants.
 - States Across the U.S. Outspend the Federal Government on Adult ESL By 3:1
 - Some States Restored Welfare Eligibility Eliminated By Congress

United States III

- The Municipal Role: Punitive or Supportive?
- Municipal Ordinances Against Undocumented Immigrants: Housing, Employment, Service & Schooling Restrictions.
 - Some Struck Down By Courts
- Sanctuary Cities: ‘Don’t Ask, Don’t Tell’; Municipal Services Provided to All Residents.
 - Many Large Immigrant Gateway Cities on Board
- The BIG Picture: U.S. Lacks any Systematic Approach or Support to Immigrant Services & Integration
 - “The U.S. approach toward immigrant settlement is very minimalist. The U.S. government expects that immigrants will find their own ways to integrate into U.S. society.”
- Many Studies Note the Inadequacy of ESL & Labour Market Integration Supports for Immigrants

United Kingdom I

- “There are no special programs to facilitate the integration of immigrants in [UK] society.” (Lynch & Simon)
- Immigration Backlash > Migration Impact Fund, Probationary Citizenship Regime
- Devolution (asymmetric) Since the Late 1990s
- Not Federalism: Westminster ‘reserves’ central powers and ‘devolves’ others
- Scottish Parliament New Powers: e.g. Education & Training, Health, Housing, Local Government
- Large, Recent Immigration Settlement: EU & Beyond
- Scottish Nationalism: Small, Aging Population & Nationalist Aspirations > Pro-Active, Inclusive Immigrant Measures

United Kingdom II

- “Our research found markedly more positive reception to new migrants in the Scottish locations than in the English locations.” (Pillai et al)
- Immigrant support services delivered in partnership with 32 local governments.
- Adult ESOL Strategy for Scotland
- “One Scotland, Many Cultures” Campaign
- Immigration & Nationalist Aspirations in Scotland:
 - “In terms of policy objectives, the broad approach of the UK Government is based on the premise that there is too much immigration and our broad approach in the Scottish Government is that we don’t have enough immigrants and we’d like some more.” (Senior Scottish Official 2010).

Australia I

- A longstanding immigration country
 - Highest percentage of foreign-born (22%)
- Federal government is dominant actor in immigration, citizenship and settlement fields
 - As per constitution; in practice
- The most centralized of our federal cases

Australia II

- National Framework for Settlement Planning
 - Developed unilaterally by federal government
 - Results in a coherent, national policy orientation
- National Core Settlement Programs:
 - Adult Migrant English Program
 - Translating and Interpreting Service
 - Settlement Grants Program
- Annual Meeting of Ministerial Council of Immigration and Multicultural Affairs
 - Intergovernmental “consultation”
 - Federal government “speaks to” state and territorial governments
 - Decision-making remains with federal government exclusively

Australia III

- Some devolution of selection to states through State Specific and Regional Migration initiatives
 - To meet state-specific labour-market needs and distribute immigrants more evenly across country
 - Much **less** important than Canadian Provincial Nominee Programs (PNPs) in terms of numbers
 - Small fraction of annual admissions

Australia IV

- In all, Australian case offers much of what some Canadian commentators would like:
 - Coherence/uniform standards, strong central government role, clear lines of accountability
- But is it working?
 - Depends who you ask; at best the story is mixed
 - Non-English mother tongue immigrants are not faring well on labour market and many complain of discrimination
 - Perhaps less coherence and more collaboration among levels of government could help meet these challenges

Germany I

- A “labour importing” country, long denied status as an “immigration country”
- No real settlement policy at national level despite large immigrant population
 - 18.7% have a “migration background” (immigrants or second or third-generation descendents)
- Only changed in late-1990s under SPD-Green government
 - Coalition Agreement: “immigration country” status
 - 1999 citizenship reform (*jus soli*)
 - 2000 “Green Card” initiative (for IT specialists)

Germany II

- 2005 Residency Act
 - Call for integration courses coordinated by new Federal Office for Migration and Refugees (BAMF)
 - Call for intergovernmental cooperation on integration
 - Need to catalogue and coordinate what existed and create new initiatives
- 2005 Grand Coalition SPD-CDU
 - CDU eschews populism, embraces “pragmatism”
 - Driven by fear of weakening social cohesion
- Annual National Integration Summits
 - Hosted by Chancellor, brings together federal, state, local governments and civil society actors

Germany III

- National Integration Plan (2007)
 - Obligations agreed to by all three levels of government
 - Promise of funding by federal government (€750 million)
- Integration Courses:
 - 900 hours German language + 45 hours civics
 - Open to all deemed to require integration assistance, regardless of residency status, citizenship
 - 2005-2008: half-million course takers; 50% pass rate for exam in 2008

Germany IV

- Growing role of cities
 - Have their own integration plans e.g. Stuttgart
 - “*Mama lernt Deutsch*”; interpreting and translating services
 - Assisted by federal-state (*Bund-Länder*) “Integrative Cities Program”
 - Provides funding for local government initiatives
 - Federal/state cooperation to help local governments

Germany V

- Devolution driven by need to “catch up”
- Forces coordination among all three levels of government & Third Sector service providers
- Adaptation of German approach to multilevel governance to settlement/integration
- Still imperfect but remarkable progress given low baseline

Conclusion

- Devolutionary trend with significant variation in drivers and forms adopted:
- Reflects differences in forms of federalism, politics of immigration, history of policy development
- None feature the “federal-provincial diplomacy” that has given rise to bilateral agreements in Canada
 - Canadian “incoherence” is linked to more general trends in Canadian politics, political development
 - A coherent “Australian approach,” whatever its merits, is therefore not in the cards

Conclusion

- The way forward for Canada lies in continuing to mobilize the potential for **experimentation/innovation** via intergovernmental collaboration with some measure of **coherence** in resource allocation, program availability and standards
- A simple sounding prescription, made difficult by the dynamics of Canadian federalism