

Gendered Effects of Crimmigration in Canada

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Research Goals

- ❑ To theorize gendered and racialized effects of migration controls in Canada
- ❑ To examine introduction of conditional permanent residence for sponsored spouses in 2012
- ❑ To consider how the threat of “marriage fraud” is made to be real in relation to migration controls

Overview

- ❑ Constructing the Deportable Subject
- ❑ Illegalizing “Marriage Fraud”
- ❑ Controlling Immigrants through “Marriage Fraud” Enforcement

Canadian Context

- ❑ Multiculturalism as state policy; High public support
- ❑ Since 2008, most active period of immigration policy change since country's inception
 - ❑ Family, Economic, Humanitarian Policies
 - ❑ Changes to Citizenship forthcoming
- ❑ Increase in temporary migration
 - ❑ Permanent = 250,000 ; Temporary = 1,000,000
- ❑ Shift towards enforcement at "multiple borders"
- ❑ Steady increase in deportation (16,511 in 2012)
 - "fraudulent marriages", "fake visa students", "bogus refugees"
 - "illegitimate citizens", "criminals"

Policies that Criminalize Immigrants

- 2003 *Multiple Border Strategy, 2003*
- 2010 *Canadian Citizenship Guide, revised*
- 2011 *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*
- 2012 *Bill C-10, Safe Streets and Communities Act, 2012*
- 2012 *New rules Conditional PR for Sponsored Spouses*
- 2013 *Bill C-43, Faster Removal of Foreign Criminals Act*

Dual Threat of Racialized Women

- ❑ Female migrants make up majority of sponsored spouses or dependents of economic migrants
 - ❑ > 80% of all im/migration from Asia, Africa and S. America
- ❑ Female TFWs more often in “low-skilled” jobs as caregivers or domestic workers
- ❑ Racialized women pose a “dual threat” (Thobani, 1999)
 - 1) Racially “inferior” themselves
 - 2) Capacity to reproduce non-preferred races as “polluting”
- ❑ Racialized women viewed through “cultural deficit” model to be either “managed” or “protected” (Razack, 2008)
- ❑ Violence of “cultural others” condemned as “barbaric”, “criminal” and against Canadian values:
 - ❑ Genital mutilation, honor killing, forced marriage

Illegalizing “Marriage Fraud”

- ❑ “Real” relationship vs. “marriage of convenience”
- ❑ Detection of “marriage fraud” extends Canada’s multiple border strategy
 - ❑ Screening (application, interview) prior to entering Canada
 - ❑ Screening (interview & spontaneous visits) for first 2 yr period
- ❑ Conditional permanent residence for sponsored spouses extends migration control spatially and temporally
 - ❑ Sponsored spousal/partner relationships reviewed before sponsorship application is approved by overseas officers
 - ❑ Sponsored spouse/partner must remain in “conjugal” relationship during first two years to maintain status
 - ❑ Sponsored spouse is barred from sponsoring a new spouse/partner for five years



"The Jig is Up on Marriage Fraud"



Fraud Prevention Month

“I have heard stories from victims across the country that have been left emotionally and financially devastated because of immigration fraud,” said Minister Kenney. “The best way to protect oneself is to become informed. I encourage Canadians, and especially newcomers, to visit the Citizenship and Immigration Canada (CIC) website during Fraud Prevention Month to learn about their rights and responsibilities as they relate to citizenship and immigration so they can protect themselves.”

Prime Minister Stephen Harper March 2013



How to report fraud

How do I report immigration fraud?

Call the Canada Border Services Agency (CBSA) [Border Watch Toll-Free Line](#) at **1-888-502-9060** to report:

- suspicious border activity,
- a marriage of convenience,
- a person who has given false information on any immigration application or
- a person wanted on an immigration warrant.

What you tell the tip line is private.



DON'T BE A VICTIM OF MARRIAGE FRAUD.

Some people think marriage to a Canadian citizen will be their ticket to Canada.

It is a crime for a foreign national to marry a Canadian citizen or permanent resident only to gain entry to Canada. CIC is working to prevent these false marriages.

In many cases, sponsors and foreign applicants set up a “marriage of convenience.” This is a marriage or common-law relationship whose sole purpose is to let the sponsored spouse or partner immigrate to Canada.

CIC officers are trained to recognize real immigration applications. They know how to detect false marriages. They have many ways to spot marriage fraud, including:

- document checks,
- visits to people's homes and
- interviews with both sponsors and applicants.

The Threat of “Marriage Fraud”

- ❑ As a threat to the “integrity of the nation”
- ❑ As a threat to immigrant cultural and family values
- ❑ As greater than the threat of partner/family violence
 - ❑ “We have a number for that”
 - ❑ Exemption for victims of abuse/neglect requires sponsored spouse/partner to prove:
 - a) abuse is real and b) marriage is real

Concluding thoughts

- ❑ Regulation of spouse/partner relationships that cross national borders reinforces racial and gendered notions of who belongs and may access social and legal protection
- ❑ Enforcement of “marriage fraud” is a prime example of Canada’s investment in regulating cultural “others” as a threat to the integrity of the white settler state
- ❑ Violence against racialized women is a “cultural problem” that can be expelled through migration control
- ❑ The construction of “marriage fraud” effectively recruits immigrants to police each other, reinforcing patriarchal violence against women

References

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