

**CWSA /ACEF
ANNUAL BOOK AWARD - 2007
INTERVIEW WITH THE AUTHORS**

Negotiating Citizenship: Authors' Reflections

Abigail Bakan, Queen's University, has published in the areas of migration studies, Caribbean development, globalization, imperialism, and employment equity policy. Her current research focuses on the relationship between anti-racism and Marxist theory.

Daiva Stasiulis, Carleton University, conducts research in citizenship and migration studies. Her current research, funded through the Social Sciences and Humanities Research Council of Canada (SSHRC), focuses on two projects: investigations of multiple citizenship, including a case study of Lebanese-Canadians and Lebanese-Australians who fled the July 2006 war in Lebanon, and multi-level governance of immigrant integration in Ontario communities.

Rajeni Chagar, Carleton University in Ottawa, has research interests in the areas of citizenship, migration, sustainable and equitable development, and gender and politics. Her current research examines the relationships among the feminization of labour migration, development and citizenship in India.

INTRODUCTION

Negotiating Citizenship: Migrant Women in Canada and the Global System (Toronto: University of Toronto Press) was the winner of the Canadian Women's Studies Association/L'association canadienne des études sur les femmes (CWSA/ACEF) 2007 annual book prize. Here, Rajeni Chagar interviews co-authors Daiva Stasiulis and Abigail Bakan about this important contribution.

Rajeni Chagar

I would like to commend you on such a thought-provoking and informative book. *Negotiating Citizenship* provides insightful evidence that helps the reader really connect with the discriminatory experiences migrant women have faced in Canada. What inspired you to research the exploitative and discriminatory nature of migrant women from the Philippines and the West Indies working as private domestic workers and public nurses in Canada?

Daiva Stasiulis and Abigail Bakan

First, we wish to convey how honoured we are to receive this award. It's interesting to

reflect on the journey that led to the research and writing of *Negotiating Citizenship* and to revisit some the challenges and the many joys involved in this collaborative work. We both had a prior commitment to anti-racist and socialist feminist scholarship. We knew each other's work, and when we first met we talked about conducting research on foreign domestic workers in Canada. When we began our study, there were only a few Canadian studies about foreign domestics - really only some ground breaking work by researchers such as Makeda Silvera, Sedef Arat-Koc, Agnes Calliste, Patricia Daenzer and Rina Cohen. We felt that it was important to examine the situation of caregivers who had migrated from the global South to Canada. We knew that thousands had been forced to navigate their way through discriminatory federal immigration policies and very inadequate provincial employment standards. We also knew they faced extremely exploitative working conditions that would readily be rejected by the majority of Canadian-born workers.

So there were many aspects of this situation that cried out for investigation: the globalized nature of the foreign domestic worker labour force - particularly from countries such as the Philippines whose economy had become so dependent upon labour export and foreign remittances; the social relations of race, gender and class in which these women were imbedded; the fact that the people who micro-managed them tended to be female, and the attendant fact that the feminism of some employers did not mitigate the fundamentally uneven power relations between employer and employee and the potential for widespread abuse and exploitation of the foreign worker; the fact that these migrant women were often highly educated and trained professionals such as nurses, and yet traveled to another country, often at great cost to their families and their own mental health, to care for other people's children and other family members. There was also the paradox concerning the Canadian program for foreign domestics that was held to be a model of fairness internationally, despite its obviously discriminatory features. Theoretically, we felt that investigating this situation through the prism of citizenship, and treating citizenship as a relational phenomenon rather than simply as a legal status - one that was continually negotiated in the private household between the citizen-employer and non-citizen worker - would be a useful lens and could yield important insights.

We also felt that it was important to compare the experiences of Filipinas with West Indians insofar as Filipinas had, by the time of our study, come to replace West Indian women as the largest group of women to enter Canada as foreign caregivers. This changing pattern was one of our early research questions. There was a growing body of work focusing on the experiences of women of colour in Canada that was important. But there was little that addressed comparatively the multiple experiences of women of colour who faced many common conditions, but who also had their distinctive histories and patterns of migration and settlement and who were racialized in distinctive, yet overlapping ways. West Indian foreign domestics had a long history of organization and struggle against many of the discriminatory features of the Canadian government's immigration program for migrant caregivers. Through the course of the research, we concluded that the collective resistance of West Indian women to the exploitation meted out by the Canadian government and employers was one of the reasons that the formerly nurturing, caring stereotype of West Indians came to be replaced by other, more nefarious stereotypes of criminality and laziness, for instance. Predictably, as Filipinas came to be the new favoured group among

domestic placement agencies and among employers, as reflected in the stereotype of the Filipino nanny as nurturing and compliant, their resistance and organization would soon similarly alter the stereotyped conceptions of the passive Filipino nanny. These women could draw upon militant feminist, anti-colonial and anti-capitalist traditions from the Philippines that did not synch with the image of the compliant domestic worker.

We wanted to explain the complex connections of paid domestic labour in the global system, but in order to do this through the lens of citizenship, we needed to extend the purview. We thought we could more effectively explore the difference that citizenship and immigration status made for the highly exploited situation of migrant live-in caregivers by simultaneously examining and comparing experiences among working women from these same national groups who migrated to Canada through a variety of immigration and citizenship statuses and who worked in public settings. This led us to consider nurses, who commonly arrived in Canada with permanent residence status. We found that both Filipinas and West Indian women who migrated as nurses faced many difficult challenges to practicing their professions, such as recognition of their foreign credentials. And like their counterparts in household domestic service, they encountered various forms of racism, exploitation, and abuse. However, having permanent resident or citizenship status in Canada at least gave them certain legal rights and protections that were important in their capacity to resist these conditions. For example, there was a successful fight of racial minority nurses against a Toronto hospital that was found by the Ontario Human Rights Commission to have sustained systemic racism in its treatment of Black nurses. Though racial discrimination continued in this instance and continues to prevail in the hospital sector, collective resistance has proven important in negotiating more robust citizenship rights among racialized nurses.

Rajeni Chagar

What were some of the challenges you faced in gathering the data and having the migrant Filipino and West Indian women trust you with their experiences?

Daiva Stasiulis and Abigail Bakan

Prior to this study, we both had extensive fieldwork experience with migrant communities in Canada. This study was based in Toronto, and we were familiar with some of the leading activists and scholars who were involved with the communities. We knew we were seeking to work with very vulnerable groups of women, and that their cooperation and support for the project would be essential to its completion. From a very early stage of the study, we tried to make our research findings available to organizations and individuals involved in advancing the rights of West Indian and Filipino domestic workers and nurses. For example, while sources were of course kept strictly confidential, we were able to share our research about the construction of racial stereotypes in the domestic worker placement agency industry. These findings were in a sense not news to those who were the victims of such processes, but domestic workers found it empowering to know that these constructions were being made transparent and exposed to scrutiny. We were able to establish lasting bonds of trust which have continued to this day. We were also privileged to be able to participate in various levels of community, government and policy reviews of the Live-in Caregiver Program (LCP). In addition, we were pleased to be able to observe

and speak at conferences and events that advanced the rights of visible minority nurses. We developed a very deep respect for the women who encountered and overcame incredible obstacles in their migration and work journeys to provide caring work in the families and hospitals of Canadian society.

None of this was, however, without its challenges. We knew that there were considerable barriers to address regarding race and class in the fieldwork as we are both white and middle class. When we conducted our survey of West Indian and Filipino domestic workers and nurses, we arranged for the one-on-one interviews to be conducted by West Indian and Filipino female research assistants, in an attempt to ensure ease of communication and identification in the interview process. We also interviewed placement agency owners and hospital managers. Here, we conducted the interviews ourselves. Originally, this was more an accommodation to limited resources than a conscious research strategy. But we found that some of the most overt and blatant expressions of racial stereotyping were expressed freely in this context, and we carefully documented and analyzed this data. When we were able to process these findings and make them public, we felt that we were acting not only as researchers, but also perhaps as investigative journalists.

Some aspects of the field work were completely unanticipated. One of the most memorable events that took place in an early phase of this research involved the life and untimely death of a Filipino domestic worker named Flor Contemplacion. She worked in Singapore, and was executed by hanging for a double murder that all the evidence suggested she did not commit. The victims were a friend of Flor's, also a Filipina domestic worker in Singapore, and the child her friend was hired to care for. The events involved a tragic accident, an enraged employer, and upon the arrest and trial of Flor Contemplacion, various levels of suspicious collusion and governmental and legal incompetence.

This is a story that we researched extensively in the Philippines, Canada and Singapore, but it took on a life of its own and did not make its way into the final story explored in *Negotiating Citizenship*. Instead, we wrote up our findings in an article, which included interviews with members of Flor's family in the Philippines and extensive analysis of a Philippine government commission report.

We had tremendous difficulty, however, finding a journal that was prepared to publish this, and we were advised to seek legal advice regarding our rights and responsibilities in writing about such a controversial case study. The article was eventually published in a Philippines scholarly journal called *Public Policy*. The article received little attention in North America. But there were groups of Filipino migrant workers all over the world, not least in cities across Canada, who protested the hanging of Flor Contemplacion and organized vigils upon her death. We were honoured to be invited to participate in these events, and to show our sympathy and solidarity with the thousands who identified with Flor and with her family. Following on this event, a global network of Filipino migrant workers was established to address cases of violence or wrongful conviction faced by domestic workers in various countries. The trust that we were able to establish with activists involved in this movement was invaluable in helping us with later stages of the research. And the final chapter of *Negotiating Citizenship*, on "Dissident Transnational Citizenship: Resistance,

Solidarity and Organization," was in large measure inspired by our experience as participants in and supporters of this international movement.

Rajeni Chagar

You note that stereotypes and prejudices towards West Indian and Filipino nurses and domestic workers have a significant influence on gatekeepers and employers. How have they been constructed and reinforced in the Canadian context?

Daiva Stasiulis and Abigail Bakan

We were both very familiar with the broad strokes of systemic racism in Canada, and this was integrated into our basic research design. But the research for this study brought home to us just how deeply "systemic" racism is, and the complex and nuanced ways in which it is produced and reproduced through law and policy, practices and discourses. Nursing and live-in domestic care are both industries where chronic labour shortages have been addressed by the recruitment of foreign workers, and in both cases there is systemic discrimination. However, live-in domestic workers face conditions considered among the most oppressive in the labour market, and convincing people to accept these jobs requires the provision of a "carrot" to go along with the "stick." To entice workers to accept these jobs, a period of virtually indentured labour under the federally administered Live-in Caregiver Program is sweetened by the promise of eligibility of permanent resident, or landed immigrant, status in Canada.

Racial stereotyping in the recruitment process abounds in the in-home care sector. Our findings revealed the role of domestic placement agencies in constructing the needs of the "average Canadian family" for in-home childcare, and "matching" these needs with variously socially constructed ascribed "types" of immigrant women. One of the chapters in *Negotiating Citizenship*, on "Gatekeepers in the Domestic Service Industry," includes extensive quotations drawn from placement agency owners. We learned in our field research how the champions of this industry confidently translate the perceived "needs" of employing families for live-in domestic care into hiring preferences based on ascribed notions of race, nationality and ethnicity. They defended their trade for their capacity to strictly screen applicants based on country or region of origin, accent, and even hair styles. Rigid distinctions were made about "island girls" and "your Filipinos" without inhibition. They also prided themselves on being able to screen employing families, based on criteria such as what does and does not constitute "Canadian values."

The acceptability of this type of stereotyping is rationalized in part by the location of employment - the private family household - where employers are led to believe that they can legitimately discriminate according to their individual preferences and prejudices. Canadian state initiatives with regard to childcare have almost always privatized responsibility within family units and are thus notable for what Frances Olsen terms the state's "regulatory absence." There have been few cases of successful litigation or human rights cases among live-in domestic workers who face blatant forms of racism and sexism, in part because ideologies related to the private lives in families have informed Canadian public laws and social policies on in-home domestic and child care. The advent and retrenchment of neoliberalism in Canada that works through ideologies of privatization,

familialization and the commodification of all relations have further deepened these tendencies. It has given even freer reign for Canadian employers to impose the burdens of care - of children, the ill, disabled and elderly - stemming from an eroding social welfare state and concomitant processes of deinstitutionalization. This falls on the private family, on the labour of women, and on the backs of non-citizen migrant workers.

In the case of nursing, the systemic discrimination was traceable in determining qualifications and in hospital administrations. Both West Indian and Filipina nurses were subject to various forms of racial stereotyping, but because they were largely landed immigrants with the right to change employers or to grieve discrimination through their unions, the forms were different than in the case of domestic workers. For example, patient complaints regarding the care received from a nurse of colour would be ignored, or even augmented by superiors. Nurses of colour would find that requests for days off were scrutinized or denied, while white nurses faced no similar treatment. Promotions were more readily given to white nurses, creating a tendency to see a racial hierarchy in terms of patterns of supervision. Our findings supported other studies that had identified racial discrimination in patterns of promotion in nursing. However, we believe that a unique contribution of our research was the identification of a management strategy that seemed to pit one group of nurses of colour against another, especially in conditions of restructuring and cutbacks. We identified a tendency in management to cultivate divisions between West Indian and Filipina nurses in an effort to enforce discipline or create an atmosphere of intimidation. Our study was of course not based on a large sample, but the findings were suggestive of patterns we thought to be important.

Rajeni Chagar

Your book engages in important questions regarding citizenship. You mention that citizenship is veiled by equality and fairness, and that female citizens of poor states seek citizenship on virtually any terms. You also note that First world states are able and willing to exploit this increased supply in order to advance their own policies of structural adjustment. Once a migrant woman acquires her citizenship status, how does this impact her employment and her status in her own West Indian or Filipino community?

Daiva Stasiulis and Abigail Bakan

The most obvious difference for the migrant woman who has acquired first permanent resident status, and then after three additional years, formal citizenship status, is that she gains access to many rights and prerogatives that either by law or practical circumstances were denied when she had temporary status under the LCP. Once granted landed status, she is legally permitted to work in any occupation or field; she can escape the 24-hour surveillance of an employer; she is able to seek her own accommodation and, importantly, to sponsor members of her family to immigrate to Canada. In actual fact, however, immigrant women of colour who are also permanent residents continue to face constraints in the Canadian labour market. Many new jobs constitute precarious work; to move to more stable employment, employers commonly demand an elusive Canadian experience; and as a result of neoliberal policies, much of the work that previously had been done in institutions is now off-loaded to family households. In our study, for example, we found that although some of the women had acquired landed immigrant or even Canadian citizenship

status, they continued to work as live-in caregivers though in theory and law they had other options. Similarly, some women had been professionals in their home countries, but became deskilled upon arrival in Canada and were now working in personal service occupations. It may take them years of extra training, and re-credentialing to attain their former professional status, and many of them never do.

The question of the relationship between citizenship status and status in the community is an interesting one, but not one that we specifically addressed. As in any ethnocultural community, there are actually several communities, segmented by social class, region of origin, and so on, and, among West Indians, by nationality. Thus, we would assume that the difference that citizenship status might make for migrants who acquired permanent residence status would depend on their prior relationship to a particular diasporic community in Canada.

Certainly some former domestic workers distance themselves from the migrant caregiver community, in part in an effort to break racist stereotypes. In other cases, they may use the experience they have acquired as domestic workers to start their own placement agencies for migrant workers. These businesses become part of what we identify as the gatekeeper industry, often unfortunately and perhaps unwittingly reproducing the systemic exploitation of foreign caregivers. However, there are also significant numbers of former migrant workers who have earned tremendous respect among their communities by aligning themselves with the fight to acquire greater justice for migrant workers, in Canada and internationally.

Rajeni Chagar

You discuss the intersections that one's class, race, and citizenship status have on the discrimination of migrant workers. What role do the Philippines and West Indian governments have in providing their nationals with information regarding the numerous challenges they will face in the receiving state?

Daiva Stasiulis and Abigail Bakan

Various governments historically in the Philippines and among the states in the West Indies have encouraged overseas migration as a means to offset high rates of domestic unemployment. Moreover, remittances from migrant workers bring in foreign currency to support families back home, and in turn become a source of funds to offset chronic indebtedness. So there is an international pattern, with countries in the global South sending migrant workers to seek employment in countries in the global North like Canada, and countries like Canada seeking to exploit labour to fill positions spurned by those with other options. Deep exploitation is reinforced by patterns associated with citizenship status and race.

In the Philippines, there is an extensive network of government offices designed ostensibly to "support" overseas workers. In fact, however, the information made available to migrant workers is very selective and often irrelevant from a rights standpoint, and support for workers who find themselves in dangerous or vulnerable situations is almost non-existent. In the case of the West Indies, there are of course many different states involved, and the

historical pattern of migration to Canada is older and more established. However, reliance on migrant workers and remittances as a source of foreign currency continues to be a pattern. The main source of support and information for foreign workers does not come from the governments of the receiving or sending countries (e.g. through their embassies and consular offices), but from alternative grassroots networks of activists and from personal connections developed across borders in transnational families.

Rajeni Chagar

Your research suggests West Indian women enter Canada as undocumented migrants more commonly than Filipina women. What various factors do you attribute to this difference?

Daiva Stasiulis and Abigail Bakan

Our study was focused on the experiences of legal migrant workers, as nurses and live-in domestics. However, our selection criteria were based on country of birth and workplace setting at the time of the interview. We discovered that a number of our interviewees had arrived as visitors but that their continued stay and work in Canada rendered them without legal status, and many were familiar with others who were also without status. So our research findings regarding undocumented, or illegal, migration patterns are suggestive only. Our findings did, however, indicate that as discrimination against West Indian women workers - particularly those destined for live-in care through the LCP - has increased, Filipino migrant workers came into relative favour among recruiters and other gatekeepers. This change did not mean that there was less demand among West Indian women workers seeking to emigrate to Canada; indeed, conditions of high unemployment and poverty in the West Indies continued to prevail, thus compelling overseas migration as a strategy for family survival and material betterment. Regarding undocumented workers in Canada, one possible explanation is that West Indian women seeking employment are left with few choices, and arriving in Canada as visitors and then seeking to work without status is one among extremely limited options. However, it is also important to keep in mind how the Canadian immigration laws themselves construct this illegality for migrant women whose care work is very much in demand in Canada.

The change in the colour of nannying in Toronto, where Filipinas were hired more readily than West Indian women for live-in care work, was one of the questions we pursued in this research. What we discovered suggested a shift in the view of employers, one that was reflected among domestic employment agencies and ultimately government offices. As West Indian women who were formerly domestic workers started to organize collectively to demand their rights as workers and citizens in Canada, the racial stereotypes changed: no longer was the image one of the loving and trustworthy "mammy," but of the deceitful "Jamaican criminal." Then, there seemed to be favour towards the Asian female, assumed to be passive and compliant - enter the wave of Filipina nannies. But this image also did not seem to last indefinitely. We saw indications in our research that as Filipina domestic workers were similarly turning to collective organizing, negative stereotypes were on the rise. The "ideal" domestic worker is apparently expected to fulfill a mythical image of a passive servant, yet one who is highly diligent, proactive and flexible in anticipating and fulfilling the needs of Canadian families. All of these various and changing stereotypes are

of course constructed and highly racialized. It is reasonable to conclude that none of the women we interviewed could remotely be considered passive. Instead, we learned of various workplace, legal and community strategies to resist abusive conditions, or to endure in extremely difficult conditions what was seen to be temporary suffering while negotiating to obtain greater citizenship rights in the future.

By seeking redress for the abuse of the power of their citizen-employers, and in some instances, joining the movement for immigration reform and domestic worker rights, live-in caregivers engaged in what Holloway Sparks terms "dissident citizenship," practices of dissent involving political courage employed by marginalized peoples to augment or replace institutionalized channels of opposition. Many of these dissident citizens in fact have temporary and even undocumented status in the state where they work and whose laws and conditions they are contesting. What is remarkable about the dissident citizenship of migrant women workers is that they are willing to engage in such oppositional practices, seeking justice and rights, often linked to transnational networks of migrant worker movements. This is even at the risk of their own deportation and removal because of their vulnerable non-citizen status. Through these struggles, non-citizens make significant contributions to expanding and reshaping citizenship.

Rajeni Chagar

How do you hope your research findings will influence policy makers?

Daiva Stasiulis and Abigail Bakan

One of the most rewarding aspects of conducting this research and writing the book involved the development of relationships with an extensive migrant women's activist network, particularly within the Filipino-Canadian community, which has advocated for important changes in policy and law over the past several decades. At the same time, we conveyed our analysis to a number of different national and international policy-related audiences - such as the Canadian Advisory Council of the Status of Women (which is now defunct), review processes conducted by the federal government on immigration, and at the United Nations level, a UN Expert Group Committee on Violence Against Asian Migrant Women Workers. Ideally, we would like to see significant immigration policy reforms that would provide migrant caregivers with permanent immigration status upon arrival in Canada, and the related rights this entails, particularly the option of living out. Unfortunately, while there has been some tinkering to the LCP, respective Canadian governments have consistently resisted reform of the most objectionable and unjust provisions of the policy, i.e., its temporary visitor status and the mandatory live-in requirement. This has followed years of domestic worker advocacy, articulating very persuasive and reasonable arguments backed by credible academic and community-based research. The repeated argument put forward is that there is only a need to import live-in caregivers, rather than those who live out. Clearly such a need exists because the live-in domestic work continues to be unregulated in the private home, and leaving workers vulnerable to abusive and exploitive conditions that are abhorrent to Canadian citizen-workers and to values enshrined in the Canadian Charter of Rights and Freedoms. The compulsory live-in requirement, assigned specifically to foreign workers recruited to this industry under the LCP, reflects the federal government's failure to address this

situation. It also speaks to the continuing crisis of quality childcare, and increasingly also of eldercare, for families who turn to the LCP as a means to fill the care gap. The fact that migrant caregivers are non-citizens is one reason for the Canadian government's intransigence; but the fact that this constituency is also racialized, gendered and working class, and thus perceived to have little political influence, is also significant.

We would also like to see nursing recognized as a profession in demand through the current immigration points system. Migrant nurses should be facilitated in entering the Canadian labour market, including a process of pre-arrival recognition of foreign credentials and bridging assistance. Given certain demographic realities in Canada, such as the growth of two working parent families and the aging of the population, the demand for migrant care giving and nurses is growing. It is only fair and just that the Canadian and provincial governments would ensure optimum conditions to welcome and accommodate migrant workers into these high-demand, and highly demanding, jobs. So many Canadians depend upon this care as part of what it means to enjoy Canadian citizenship, yet the workers who provide these services face systemic discrimination and barriers to acquiring exercising some of the most basic citizenship and indeed human rights. Our research drew analytical attention to the injustices attached to Canadian immigration, childcare and nursing policies, and we hope it will be taken seriously.

We also addressed the conditions in the sending countries that compelled such a high rate of migration, and the global system of imperialism that creates and re-creates conditions of systemic exploitation and oppression. Change on this scale will not be easy, nor just a question of enlightened policy-making. We know that it is grassroots resistance and organizing that is needed over a long period of time to enact fundamental structural changes. We hope to see conditions where Filipina and West Indian working women have real choices in their lives, with the option to stay in their home countries and not be forced to leave in order to seek a decent standard of living and greater opportunities in negotiating citizenship rights.

Rajeni Chagar

Are there aspects of this research project that you would do differently now?

Daiva Stasiulis and Abigail Bakan

In our original research design, we had planned to conduct interviews with employers of live-in caregivers, but were unable to do so for lack of sufficient resources (although we were of course, delighted with and grateful for the SSHRC grant we had received to conduct our research). We felt that speaking to employers would have deepened our understanding of how citizenship was actively negotiated at the micro-level of the family-household between citizen-employers and non-citizen employees. Also, we would have liked to have had the opportunity to extend our fieldwork to travel to the West Indies, specifically Jamaica, Trinidad and Tobago, and Barbados. Again, resources limited onsite research, but we learned a great deal through our research in the Philippines. Other than these areas, we feel that we were able to research and analyze many vital dimensions of the conditions of migrant women caregivers. We hope we were successful in bringing to light their experiences, as well as examining the role of gatekeepers, the case law on

domestic workers, and the inspiring contributions made by migrant working women in reshaping citizenship through their transnational activism and their role as dissident citizens. We also hope that some new questions were opened up in citizenship scholarship, and that these questions can be taken up in further research.