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Securing autonomy: Elite discourse and migrants in Canada

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Securing Autonomy: Elite Discourse and Migrants in Canada

by

Shannon Theresa Speed

A Thesis
Submitted to the Faculty of Graduate Studies
through the Department of Sociology and Anthropology
in Partial Fulfillment of the Requirements for
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Abstract

In the wake of a 2006 change in the party in office for the Canadian government there were routine rearrangements in the House of Common's Standing Committees and Subcommittees. Novel changes came about with the Standing Committee on Justice and Human Rights and committees associated with security ceasing to be connected to one another. Discourses in the Standing Committee on Citizenship and Immigration were analysed using critical discourse analysis to examine participant roles with regards to power and mystification as evident in the discourse of the invited speakers/witnesses at the meetings on 'Refugee Issues' in the 1st Session of the 39th Parliament. Diversity in conceptualizations of security and how migrants are 'insecure' for Canada were prominent in the discourse. This makes it difficult for justice and human rights to come to fruition both in discourse and reality. Rose's (1999) conceptualization of security is relied upon as a tool of organization to demonstrate the complexity involved in discussions of the same topic that get 'lost in translation' between various perspectives.

Acknowledgements

I would like to express my thanks to my advisor, Willem de Lint, for his incredible generosity in sharing his wealth of knowledge, and library of resources with me; and for always trusting that the books would be returned. I have great admiration for all of his insights including, and especially, ones that did not make it into this thesis.

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And I am indebted to my Mum who always finds the time to edit my work.

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Abbreviations

CCR—Canadian Council for Refugees

CDA—Critical Discourse Analysis

CIC—Citizenship and Immigration Canada

CISSA—Canadian Immigrant Settlement Sector Alliance

CIMM—Standing Committee on Citizenship and Immigration

IRB—Immigration and Refugee Board

IUD—intra-uterine device

JUST—Standing Committee on Justice and Human Rights

KAIROS—Canadian Ecumenical Justice Initiative

PRRA—Pre-Removal Risk Assessment

RAD—Refugee Appeal Division

SIAC—Special Immigration Appeals Commission

STCA—Safe Third Country Agreement

I. Introduction

This project is a critical discourse analysis (CDA) of transcripts from committee meetings in the Canadian House of Commons. The investigation examines whether a particular rearrangement of committees of the House of Commons is reflected in the discourse of those invited to speak as witnesses at these meetings. The analysis is contextualized by the secession of 'public safety and national security' from the Committee on Justice and Human Rights (JUST). What is to be examined is autonomy and mystification in the discourse of invited speakers/witnesses at the Standing Committee on Citizenship and Immigration (CIMM) as they engage in discussion of security, justice, and human rights.

The autonomy of migrants in Canadian society is significant because of their substantial contribution to the Canadian labour force and, consequently, the Canadian economy. Because there are a variety of policies (the political) that impact the every day lives of migrants (the social), mystified, or unclear, discourse in the political arena has a profound ability to prevent change from taking place; with no explicit problem, no resolution can be developed. Specifically, handling culpability through inappropriate pronoun use and non-human participants demonstrates adroit political manoeuvres to manipulate discourse. This leaves migrants in a precarious position where issues pertaining to their quality of life are left unaddressed.

There are a variety of preconceived notions with regards to migrants, especially refugees, residing in Canada. In the wake of the terrorist attacks in the United States in September 2001, concerns have grown substantially with regards to the potential security breaches posed by 'outsiders'. The analysis looks at what 'secure' is within the discourse

of various speakers at CIMM meetings, and whether there is any consensus on its definition and consistency in its use among invited speakers/witnesses in these meetings. It is evident in the literature review that the views of security are not conducive to providing justice and protecting human rights. This is important to consider, as unethical discourse practices are problematic on the national level in a liberal democratic society such as Canada. With the onset of globalization and transnationalism, borders are becoming ambiguous and their permeation by individuals seeking asylum should not result in the withdrawal of individual autonomy and a breach of justice and/or human rights for the purpose of securing an 'uncertainty' or 'risk'.

Background/Context

Within the Canadian House of Commons, there exists both standing committees and subcommittees which receive orders and mandates to review matters of various House activities. Standing committees may have subcommittees established that report to the standing committee. The standing committees and subcommittees are modified due to a reworking in the structure of public administration by the government in office each session.

The Standing Committee on Justice and Human Rights (JUST) throughout past parliamentary sessions has had its mandates and name changed. In the face of these changes justice has remained fully reconcilable (as being the concern of the same committee) with governmental concerns such as legal affairs, human rights, public safety, emergency preparedness, and national security. Existent throughout the 38th Parliament was the Subcommittee on Public Safety and National Security under the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness,

exemplifying a connection between, among other things, national security, justice, and human rights. Rearrangement for the first session of the 39th Parliament resulted in the separation of Justice and Human Rights from Public Safety and National Security, with both being given separate mandates as individual standing committees. Edelman (1985) suggests that administrative actions such as this hierarchical rearrangement are symbolic rather than a reflection of actual policy change.

Ackleson (2005) asserts that security problems exist solely because state elites declare that they do. The 'naming' and re-naming of government entities is itself an indication of this ability to designate levels of importance to various terms. Ideological or value preferences are reflected in how the government establishes, prioritizes, and names its various committees, Ministries, and offices. These transcripts are important to examine because the prioritization of security over rights as a response to a constructed migration threat is problematic; regardless of an individual's status according to a nation-state, all humans are humans and entitled to treatment as such.

The process of bringing public safety and national security to the forefront in a standing committee may just serve "as legitimizer of elite objectives, as reassurance against threats, and sometimes as catalyst of symbiotic ties between adversaries" (Edelman 1985:68). What necessitates change is the current government wanting to display its priorities. The extent to which the government follows what it evidences as its primary concern is uncertain. The rearrangement that takes place with each parliamentary session is a reflection of an evaluative process that Edelman (1985) suggests is used to subdue opposition by indicating that those in power want the same thing for constituents as the opposition. This suggests that security has become a general
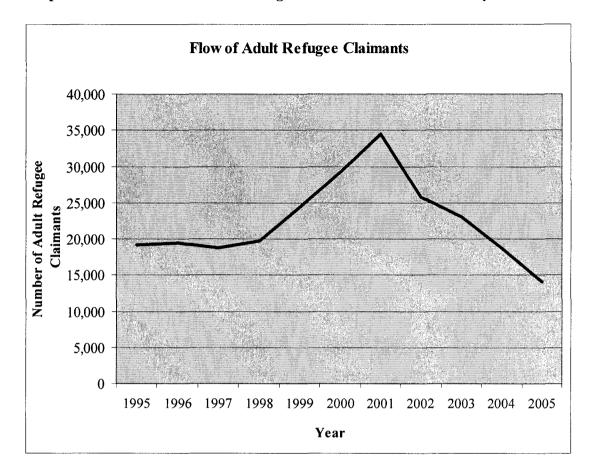
concern and the government in office is demonstrating their attention to this concern by making security a more substantial priority than it has been in the past. Though rearranging both standing and sub-committees is a normal occurrence between parliamentary sessions, this particular reorganization is the interest of this study because of multiple conceptualisations of security.

The circumstances of the time period of this parliamentary session are significant and include many social and political conditions. The 1st Session of the 39th Parliament, and accordingly, the rearrangements that took place in the Canadian House of Commons, was under the control of a Conservative party for the first time in over twelve years. The presence of a new party being the government in office sets the condition in which the succeeding party (the Conservatives) are able to blame current problems on the actions of the Liberal government which was in office over the past decade. Pertinent to the time period as well, is that this is the first time a Conservative party has been the government in office since the events in New York City in September 2001. Canada is known for being compassionate and open to asylum seekers, but the 'insecure' events in the neighbouring United States in 2001 seem to have had an affect on Canada's flow of refugee claimants (See Table 1; Graph 1). This is not to suggest that refugees are the only migrant group that decreased in number after 2001 as there has been a similar trend in other categories of migrants.

Table 1: Annual Flow of Adult Refugee Claimants in Canada—10 year trend[1]

Year	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Number	19,199	19,435	18,791	19,662	24,445	29,247	34,434	25,730	23,077	18,715	14,137

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[1] Adapted from Citizenship and Immigration Canada (CIC) Facts and Figures 2005.

Graph 1: Annual Flow of Adult Refugee Claimants in Canada—10 year trend[2]

Flow of Adult Refugee Claimants

The categorisation implicated by discussion of immigration is quite complex. Terminology, specifically "migrant" and "refugee", function in different analytical and symbolic ways. In Canada, there are generally three categories of immigrants: family class, economic immigrants, and refugees. For the purposes of administrative proceedings, migrants "apply" while refugees "make claims"; distinct processes to gain status in Canada lead to distinct statuses and, often, treatment. Though the way these individuals and categories are treated and viewed is quite distinct, similar circumstances result in their creation. "In the majority of cases, the root causes of migration are poverty, famine, and persecution on the basis of race, religion, ethnicity, language,

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[2] Adapted from CIC Canada Facts and Figures 2005.

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gender, and sexual preference, as well as ethnocide, genocide, civil wars, earthquakes, pestilence, and the like. These events create refugees asylees as well as migrants" (Benhabib 2004:137)[3]. The basis for the use of one term over the other in the discourse can be inferred but not authoritatively. Lexicon rationales may differ from speaker to speaker depending on their backgrounds, which also leaves the possibility of euphemistic rationale open for debate.

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[3] For the purposes of this paper, "refugee" is used wherever it can be definitively known. "Migrant" is used when it is unknown whether the individual is expected to 'apply' or 'claim' to gain status in Canada.

II. Theoretical and Conceptual Considerations

Informing this project is theory of claims making involving moral entrepreneurs and the creation of categories, in particular, deviant categories of immigrants. According to Becker (1984), conventional moral crusades set out to raise the status of particular beings. To some extent, it is to be expected that parts of the usual pattern of moral crusading are problematized due to the somewhat capricious status of migrants. With migrants, there is a desire to make 'them' like 'us' or to exclude those who are not, or refuse to be like 'us'. In this sense, the non-normative is deviant. Gusfield (1955) illustrates the ways in which social movements are amendable based on successes and failures[4]. Redirection can occur as means and ends are subject to change and this is evident in the subjective understanding(s) of security, justice and human rights.

The exclusionary practices of the Canadian government carried out in the name of security are set against claims that are made on behalf of justice and human rights; claims that counter each other are being made considering that Canada has an official policy of multiculturalism, but is following exclusionary practices against classes of individuals in the name of security. The disjuncture between justice and human rights and public safety and national security, indicated by governmental rearrangement, is evidence of an emergent threat; this threat did not necessarily suddenly materialize, however, need for prioritizing security compelled the opening for contravention of established practices of justice and rights. Exemplifying concentration on security is easier to carry out on non-citizens than citizens. Creating a national threat out of migrants is less cumbersome than suspending the rights of citizens and practicing exceptionalism. It is important to not

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[4] This is conducted by Gusfield (1955) using the Temperance Movement.

take 'security' as a concept, idea, or term for granted as the way it is used in both everyday speech and political discussions can have actual ramifications for real individuals.

Security, Justice, and Human Rights

Evident in the discourse of presenters at the CIMM meetings is variation in the understanding and conceptualisations of security, justice, and human rights. In addition to having an understanding of these, the framework in which 'security' exists is crucial to determining what 'secure' is; this must be resolved prior to establishing whether it is being achieved or not[5]. It is this framework/setting that helps to justify political acts that are in the face of opposition. Having a specific perspective to relate intentions to is necessary for excusing actions that are interpreted as wrong through other perspectives. Invited speakers/witnesses at CIMM meetings must be consistent in their own understanding of security to be able to justify their statements, beliefs, and opinions. Even so, members of CIMM, as well as other speakers may apply the discourse of presenters to their own conceptualisations. Migrants can be perceived as a threat to distinct kinds of security by everyone involved in CIMM discussion.

Rose (1999) suggests that: in (a) advanced liberalism national security is understood as the ability of political authorities to ascertain a stable national economy (indirectly through 'non-intervention'); under (c) 'new public management' being secure is having insurance against a variety of risks (having a 'balance sheet); and in (b) 'control' societies, security is understood as being protected from non-normative and criminality. This framework of three perspectives is not inclusive and somewhat

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[5] This framework is referred to by Edelman (1985) as the 'setting'.

troublesome in its potential for overlap when trying to present worldviews as distinct, but inductively provides a proficient framework for presenting the discourse analysis of the project. The conceptualisations of security by other theorists can be (loosely) categorized under Rose's (1999) 'types' (though they would not necessarily place themselves in alliance with Rose's view(s)). A problem with the CIMM discourse is the inconsistency between speakers in what 'secure' is. All three of Rose's (1999) perspectives arise within the analysed discourse.

a) Advanced Liberalism/Neoliberalism (Stable National Economy):

From the perspective of advanced liberalism, security comes about through individualised responsibility and minimal direct government intervention in economic activity. This perspective resonates in Touraine's (2001) argument that the dominance of the economy in politics is what hinders, among other things, democracy, making government meddling in the economy insecure for democratic practice. Egalitarianism is expounded as something that implies 'security' and is jeopardised by economic government meddling. The relationship between social and national security is established through notions of economic security (Neocleous 2006). This perspective is based on the failure of past societal and economic models. According to Rose (1999) advanced liberalism avoids socialist characteristics. There are various suggestions on the incompatibility of this model of security with justice and human rights[6].

b) New Public Management (Insurance against Risk):

The explanation of 'security' that Valverde (2003) offers is twofold, stressing the narrowness of physical safety, and the broader sense of health. The institution of these

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[6] See: Harvey 2006; Mouffe 2005, Fraser 1997; and Benhabib 2004.

can be based on calculations of risk[7]. Security for an individual or particular group often comes at the expense of security for another group; balance and 'cutting loses' is characteristic of the new public management perspective. This is evident when the 'security of the nation' is at risk and the uncertain breach of a non-citizen's rights is the preferred action[8]. This is well supported by securitization theory[9] which considers security to be a speech act, as outlined by the Copenhagen School of thought. This is where 'levels' of security become important with regards to how risky an impending threat as posed by a migrant is or the certainty that it may be impeded. This type of security conflicts with the 'justice as fairness' model.[10]

c) Control (Protection from Non-normative and Criminality):

Control societies are problematic due to difficulty in achieving a consensus with regards to what is normative. Hacking (2004) suggests that the matter of not being able to delineate what 'secure' is, is a problem of classificatory schemes that only make sense within practices and institutions. The 'non-normative' is often criminalised; this applies to the situation of refugees who are placed in holding facilities. The valuation of security is a reflection of the priority of other values, including access to justice, human rights, and the way these inform and instruct one another. If these values are norms, breaching them is a breach of security. Values and norms are established by the majority, often without complete consensus, validating the majority as the elite. The power to define allows for an ability to exclude both unintentionally and intentionally (Edelman 1985).

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[7] Brodeur and Shearing (2005:398) argue that the actualization of security and justice is "fraught with uncertainty".

[8] Beck (1999) points out that differentiation between 'uncertainty' and 'risk' has been explained, but is problematic.

[9] See C.A.S.E. Collective (2006)

[10] see Mouffe (2005)

The creation of unjust insecurity in exchange for the security of another exemplifies the difficulty in being able to achieve universal security in a control society[11].

Critical Discourse Analysis

The approach of this paper is critical discourse analysis (CDA). The purpose of this study is reflected in the mission of CDA: "Critical discourse analysis is a somewhat new direction in linguistic research, which has as its task 'to make overt the covert operations of grammar'. Thus it can 'disrupt the 'suspension of disbelief' which the everyday practices of a community perpetuate' by 'turning language back on itself' and attempting to 'examine the very reality' created, especially, by ruling elites" (Bar-Lev 2007)[12]. The characteristics of the audience that elites are able to reach can significantly affect the consequences of elites as claims makers.

For the purpose of this study, CDA is suitable in its ability to advance the understanding of elite discussion of immigrants in the Canadian House of Commons. It is important to understand that it is not necessarily *political* elite discourse that is analysed. The invited speakers/witnesses are elites in another manner as they are provided with a public forum to bring forward their perspective. It must be understood that these invited speakers/witnesses have been invited and agreed upon as presenters to the committee by committee members. They have been invited based on the significance of their position, credentials, and/or expertise. This opportunity is not available to everyone who is involved or affected by migrant issues. Committees in the House of

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[11] See Brodeur and Shearing (2005) and Valverde (2003).

[12] How an 'elite' is defined can vary substantially; among others, in addition to political elites, there are corporate and academic elites. The analysis of different elites is further complicated by resources, such as the media, that the elites may have access to.

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Commons listen to those they deem significant to the topic or task that they are

undertaking and use the presented information in reports that eventually inform policy.

Discourse

Foucault (1972) expresses a certain level of apprehension towards discourse

because of its 'decisive' and 'final' nature. Though, according to Foucault (1972), there

is discourse that is spoken and discourse that has yet to be spoken, the area between the

two is unclear. Once an idea or opinion has been articulated it cannot unequivocally be

rescinded; in articulating an understanding it is 'infinite yet final', and not necessarily

'open'. Mouffe (2005) conveys a similar trepidation in particular towards political

discourse, contending that political discourse attempts to generate a form of unity that

works towards exclusion. She further reinforces these ideas by noting that 'wants,

choices, and decisions' may remain private, while it is 'performances' that become public

(Mouffe 2005). Unity can be sought when ideas do not coincide through harmony in

what is said. This is exemplified in the government by party 'whips' ensuring that the

'party line' is 'toed' despite individual opinion. The purpose is to create a majority

opinion that will override, or exclude, the minority opinion. Regardless of the level of

support, conflicts amongst interests are reflected in oral assertions (Edelman 1985).

Opinion formation is not influential without impetus of powerful discourse behind it.

The discourse of the transcripts identified for this thesis is important to examine

because, as suggested by Fairclough (1992), discursive practice is both a part of the

reproduction of society and the transformation of society. Utterances are of significance

because discourse is not merely reflective of individual thoughts, attitudes and identities

(Ainsworth and Hardy 2004). The selection of words, metaphors, and images constructs

identity in the social realm. As Edelman (1985:121) notes, "The words a group employs and on which it relies to evoke a response can often be taken as an index of group norms and conceptual frameworks." The extent to which discourse(s) is/are influential and become conventional depends on the location from which they are being put forward.

Agendas are carried out by individuals projecting discourses to others who take up and maintain the discourse. For example there are many discourses surrounding immigrants and foreign imports taking away 'our' jobs in Canada, leading to economic insecurity. The discourse examined for this project is important because the individuals speaking hold positions of power, having a forum to engage in discussion where their views are heard and acknowledged and are a part of policy formation. The agenda of those speaking at committee meetings may differ substantially from those for whom they are advocating due to miscommunication or a lack of communication[13].

According to Benhabib (2004), 'discourse ethics' puts forth that, universally, any being with the ability to speak and act should be able to participate in moral conversation, engage in speech acts, initiate new topics of conversation, and request justification for what is taken for granted in conversations. Part of the motivation for this project is a concern that discourse ethics is not a practice at the national level in Canada, let alone on a universal/global scale. The identity of immigrants is being constructed in a forum without input from a representative number of immigrants. This is evident in few of the presenters coming from the perspective of a recent migrant. Those that are subaltern are not provided an equivalently privileged forum to voice their world view[14]. The 'security'

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[13] Communal existence takes place through the same message being related to, even if a different interpretation is taken from it (Nancy 1991).

[14] Spivak (1988) uses the terminology of 'narratives' being neglected of particular beings often in association with colonialism.

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of Canadians from immigration is guarded by an elite group making decisions based on what they hear from select representatives about select topics in a specified framework.

Groups, Individuals, and Discourse

As Bourdieu (1977) argues, objective knowledge in itself is not problematic, but should not be a stopping point; clear delineation of an approach as either objective or subjective is unnecessary. He goes on to suggest that agents do not react to 'objective conditions' similarly. The same circumstance presents itself differently to individuals and is countered differently due to individual interpretation. Particularized behaviour conflicts with practices of categorizing distinct individuals into groups. Classificatory systems, similar to what Hacking (2004) discusses, have a particular political function, that goes unnoticed (Bourdieu 1977). Classificatory systems allow unjust treatment of individuals based on notions of collective; they are used as mental shortcuts and are characteristic of bureaucracy. Individuals are placed into categories based on arbitrary characteristics; amalgamated individuals are then treated based on their classification. Classificatory systems that generate harmful practices do not require justification because political systems, and those who are dominant, have the ability to uphold them. Fuchs and Ward (1994) stress that assumptions become blind spots in the work of all 'organizations[15].' Assumptions or preconceptions, that organizations are premised on, disappear to the organization assumed or preconceived because they are so deeply taken for granted.

This study looked for what is taken for granted by committee discussants in regards to migrants, specifically refugees. The problem is that "The organization, even if

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[15] 'Organizations' are understood here to be any amalgamation that has a mandate or task that it undertakes and attempts to achieve.

it is critical of the world and society, will be able to make a difference in the world and society only if not everything it assumes and proposes is up for grabs at all times" (Fuchs and Ward 1994:508). Hacking (1999:58) refers to this as 'unmasking' which is used for undermining in the natural sciences, but is more productively used "to liberate the oppressed, to show how categories of knowledge are used in power relationships." Nothing will ever be accomplished if we are always critical of the premise upon which associations are built; however it is necessary to be critical when immigrants are being arbitrarily subject to securitization practices that impact them as a group and as individuals. This is particularly important for this study as the article upon which its methodological approach is modeled has been rejoined with criticism of the one-sidedness of the analysis.

In discussing constructionist theory, Hacking (1999) complicates the idea of 'self' as a construct, suggesting that there are many ways in which this can be conceptualised. Self and identity are convoluted by characterization coming from avenues both personal and public. When analysing the transcripts I looked for evidence of the 'kind of being' that is assumed of the 'immigrant' according to the discourse of invited speakers/witnesses. This is important to consider as a classificatory scheme can have a variety of consequences both for those being classified and society. Hacking (1999:131) argues: that classification can alter the personal worth for those who are classified; that at times "people passively accept what experts say about them, and see themselves in that light"; and that sometimes those being classified reorganize the classification being applied to them. The discourse that takes place has the ability to influence how classifications are received and responded to by individuals and society, and

representations can be problematic even when an individual is trying to do so positively (Fine, Weis, Weseen, and Wong 2000). In an attempt to combat this problem, Waldram (2004) expresses interest in "teasing out the assumptions that underlie" categories and suppositions. For instance, classifying refugees as hardworking but unable to get ahead in Canada due to their lack of 'Western' skills is positive, but uses the assumption that no matter how hard a refugee works they will never be equal to those who are trained in 'Western' practices.

In discussing the classification of human beings, Hacking (2004) suggests that a 'looping effect' occurs. This idea is of use for explaining how phenomena can act reciprocally, feeding into one another. This is applicable to the concern addressed above, but additionally speaks to the effect of reality on discourse or discourse on reality. It is not definitively determinable which 'came first'; however, it is reasonable to suppose that discourse and actions around migrants are mutually reinforcing.

III. Methodological Considerations

The focus of this paper is an analysis of the transcripts of the Standing Committee on Citizenship and Immigration (CIMM) from the 1st Session of the 39th Parliament (April 3, 2006-September 14, 2007). Certain meetings from each of these sessions were purposefully selected based on the topic being studied by the committee for that meeting. The evidence of the meetings that include "Refugee Issues" on the agenda was examined. This selection was made with the rationale: (1) it is a dominant study or activity for the CIMM that session; (2) to narrow the focus of the study for more specific findings (and consequently solutions); and (3) to evaluate the discourse around a particular 'kind' of migrant with distinct expectations and needs for a more effective analysis[16].

The context of statements made throughout the transcripts is of primary importance to understanding the aim of the discourse. The analysis is solely of the discourse of the invited speakers/witnesses. Upon thorough examination of the transcripts it became clear that the invited speakers/witnesses were more significant claims makers than the committee members; only those agreed upon and requested by a majority of committee members present and speak at committee meetings. That the selection is done by the committee demonstrates that the discourse of the invited speakers/witnesses is considered legitimate and credible to some in the committee. It is expected that the discourse would reflect what some individual committee members want presented without obvious partisanship. The presentations of the invited speakers/witnesses are meant to inform the committee members who then use the information in reports to the House of Commons that eventually informs policy.

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[16] This follows Silverman's (2003) suggestion of limiting the data that is being worked with in order for the analysis to be effective.

Out of the sixty-four meetings held by CIMM in the 1st Session of the 39th Parliament, twenty-two (over one third) of the meetings included "Refugee Issues" as the 'studies/activities' being taken into consideration for that particular meeting (Committee on Citizenship and Immigration 2006-2007). Of those twenty-two meetings, two were held in camera, meaning that they are not publicly accessible and had to be eliminated from the study (according to the minutes of these meetings no invited speakers/witnesses appeared at either meeting). Of the remaining twenty meetings, fifteen remained relevant because four did not involve invited speakers/witnesses and one did not contain any discourse that pertained to security, justice, and/or human rights according to my second reading of the evidence. The remaining fifteen meetings were analysed as follows.

Following the suggestions of Wood and Kroger (2000), the approach of my analysis is inductive and avoids the use of a preliminary coding scheme. This left open the possibility of a multifaceted analysis, rather than one that was restricted to a limited number of possibilities. This is one of three suggestions made by Silversman (2003) who explains that successfully conducting analysis must be done without being confined to a list; simply coding data based on predetermined ideas does not allow for various identified components to be compiled in a flexible way through which multiple patterns can emerge. After an initial reading of the selected transcripts, a second reading led to a reduction to particular segments of discourse that either directly or indirectly brought forward conceptualisations of security, human rights, and justice.

Following Butt, Lukin, and Matthiessen (2004) the excerpts selected were broken down grammatically to determine the actor, process, and goal or outcome according to the speaker. This evidences the world-view that the speaker represents and assumes (Butt

et al. 2004). Charting the speech of the invited speakers/witnesses facilitates an analysis that can look for particular patterns based on the participant roles expressed in the discourse. The breaking down of sentences and excerpts does not always result in a complete illustration of an actor that possessed the agency to act, an actual process, and/or an outcome or goal. This indicates that further analysis is necessary to ascertain what exactly is taking place where statements are technically complete, but missing some components to make it explicit.

Following Sykes (1988), attention was paid to syntax in examining the participants, roles, and potential mystification. Agency is addressed by Bourdieu (1977) who developed the concept of 'habitus' to explain differentials in individual potential for action[17]. Because habitus is produced by conditions of existence, gaps exist between what is possible or impossible for varying agents and groups. The capricious state of migrants in Canada, legally, socially, and politically, has the outcome of minimal or no ability to act and produce results. Giddens (1991:213), in discussing emancipatory politics explains autonomy or emancipation as a way of life where individuals are capable "of free and independent action in the environments of her social life"[18]. The autonomy, agency, and freedom attributed to the migrant are taken into consideration for the analysis of participant roles in the discourse. Mystification, as explained by Sykes (1988) is evident when clarity is lacking and human participants are largely absent; there are certain indicators in addition to a general uncertainty of expression[19].

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[17] 'Habitus' is "the strategy-generating principle enabling agents to cope with unforeseen and ever-- changing situations" (Bourdieu 1977:72).

[18] Individual freedom is not unconditional; it comes with responsibility to others and as part of a collective.

[19] Mystification arises when causality is questioned; it can be achieved "first through the linguistic processes of agent deletions and substitutions and second through the use of vague abstractions" (Sykes 1988:186).

IV. Analysis

Securing Autonomy

Considerations of the analysis include the frequency of appearance of human participants in each excerpt, the power of the role attributed to them, participant deletion, as well as, substitution and abstraction with regards to inclusion of non-human agents. The level of power used to characterize the participants includes: (1) "agents" who are able to act and affect others; (2) "experiencers" who are able to feel or react; and (3) "patients" who are affected and/or changed by something (following Sykes 1988). Trends in where migrants are placed along this continuum of power are evident in the following analysis. The analysis has been organized based on Rose's (1999) framework, as outlined earlier. This provides an idea of how the invited speaker/witness views society and provides further insight into their perspective.

The fluidity of autonomy is quite evident throughout the analysed discourse. Hearings held to evaluate situations such as whether refugees can stay in Canada based on Humanitarian and Compassionate grounds or whether family reunification will take place is an example of a situation where the location of agency remains liminal. Board members to whom cases are presented are experiencers reacting to the information imparted on them. In this situation the argument can be made that the refugee is the agent who has the power to put together a case and affect the decision of the board members. It could also be argued that the situation is out of their control as only certain attributes of their case are taken into consideration. At the conclusion of the process the power is unquestionably in the hands of the board members with refugees involved being relegated to the role of the patient despite any influence they may have asserted when

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information was gathered. At the deliberation stage all participant power is with the decision makers. The role of participants within the discourse is always fluctuating; in a situation an individual can be an agent, an experiencer, and a patient as the autonomy is fluid among participants.

a) Advanced Liberalism/Neoliberals (Stable National Economy)

The agency to 'bring migrants to Canada' is evident in the ability of the Canadian government to 'attract' and 'recruit' immigrants. This government approach to increasing the population of Canada makes sense when there is need in particular labour sectors. CISSA Member-at-large Mr. Fariborz Birjandian suggests that allowing dual citizenship in Canada is advantageous in that it provides incentive for those who want to maintain ties to another country. Of substantial concern with dual citizenship, for this speaker, is that taxes are properly collected from individuals who hold dual citizenship[20]. Concern for the Canadian national economy is the reason for migrants/refugees being 'allowed' into Canada according to the discourse. The agency to determine who has status in Canada lies with Canadian authorities implementing migration policies.

In discussing the private refugee sponsorship program, which Canadian Council for Refugees (CCR) Member, Ms. Debra Simpson designates as a priority for the government and the CCR, the refugees are the obvious patients. They are resettled by the government and presented as being both in need and subject to the aid and support of others. Enthusiasm for the private refugee sponsorship program is rooted in the minimal cost to the government[21]. Through this program expenses incurred by refugees are subsidised by private individuals or organizations. This insures that monetary support is

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[20] See Meeting No. 15, page 9.
[21] See Meeting No. 17, page 1-2

coming from sources that are willing and able to provide for refugees and reflective of an advanced liberal view.

Uneven distribution of immigrant settlement in Canada is evident in the presentations of CISSA Secretary Mr. Chris Friesen[22] and CISSA Member-at-large Ms. Bridget Foster[23]. Suggestions come forward to entice immigrants to settle in certain areas of Canada; reasons include these areas having a shortage of labour. The incentives for migrants to settle in particular areas are opportunities such as affordable housing. These suggestions lead to the assumption that an immigrant is the agent of their situation and has the power to decide where to settle and can make an informed decision based on this information. These discussants leave gaps to be filled in by the audience; in this case another perspective is that the immigrants are experiencers who are reacting to their uncontrolled situation. Mr. Friesen expresses concern for migrant services, but with concern for disadvantaged provinces coming to the forefront of the discourse.

> [I]f we don't have strong national comparable services, strong
> national standards, and some strong national directive by the
> federal government, then we're going to get into a situation, as
> the skill labour shortage heats up, around interprovincial
> competition (Meeting No. 15: Tuesday, September 26, 2006 p. 8).

The locations where labour opportunities are most abundant often distance migrants from city cores that offer valuable social services for immigrants. The equal national distribution of migrants, however, aids in ensuring that the economy is equally stable throughout the nation. Neoliberal security is advanced while the social and medical needs of migrants and refugees are place as a lower priority than the economic security of the provinces.

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[22] See Meeting No. 15, page 3,7, and 8.
[23] See Meeting No. 15, page 4.

b) New Public Management (Insurance against Risk)

When migrants are portrayed as actors by CISSA Chair, Reza Shahbazi, the

agency is limited. Immigrants have an active role but the power is transferred to "us"

upon their arrival in Canada:

> We have to have the means not only to integrate them into our
> society and our labour markets but also to make sure we utilize
> the skills they're bringing (Meeting No. 15: Tuesday, September
> 26, 2006 p. 13)

There is a power struggle evident in this excerpt as incoming migrants possess and

'bring' skills, but "we" are to ensure that "we" have the means to utilize their skills. The

focus of this discourse remains on "us" implementing services for "our" benefit as

opposed to "them" making use of "our" services for their benefit. The important active

verbs are widely applied to the actions of "we" while the action taken by immigrants is

only done so with the upshot being to the advantage and taken over by a more active and

powerful contributor; "they" bring "their" skills to "our" market. Of greater concern is

that not only are 'Canadian' participants the central benefactor, there is an evident trend

that they are also the main recipient of subsidies that result, as the labour market migrants

are entering is Canadian. This discourse suggests a 'balance sheet' approach where

'they' receive income for work, and 'we' benefit nationally which is reflective of the new

public management perspective.

Noticeably sparse in the committee discussions is the portrayal of immigrants to

Canada being experiencers in a feeling or emotional manner. There is evidence of

immigrants being expected to physically react to economic conditions by locating to

particular areas, adapting to the health care system, or adjusting to a change in the official

language; these reactions have both economic and social ramifications. However, the

emotional issues in resettlement are evidently lacking from the discussion. Mr. John

Frecker, the President of Legistec Inc., a management consulting firm that has been

contracted by the Federal Government, expresses substantial concern over a need for

efficiency in the decision making process and removal of refugees which is characteristic

of new public management. In Mr. Frecker's argument, efficiency is:

> [H]aving a refugee protection system that protects genuine
> refugees in need of protection and filters out those who are not in
> need of protection, and hopefully gets them removed from the
> country as quickly as possible (Meeting No. 29: Tuesday,
> December 12, 2006 p. 11).

The motivation for prompt decision-making and ejection is circumventing the ability of

refugees to build up humanitarian and compassionate grounds for remaining in Canada.

This is explained by Mr. Frecker as resultant of inefficiency:

> A lot of people were having children in Canada and various other
> things that gave rise to humanitarian and compassionate claims.
> If the system is dealing with the merits of the case more quickly
> instead of getting tied up in a procedural morass in the Federal
> Court, you are actually going to reduce the circumstances where
> people are building up humanitarian and compassionate grounds
> (Meeting No. 29: Tuesday, December 12, 2006 p. 16).

An efficient 'system' prevents refugees from having time to acquire power over their

situation through carrying on with their lives normally. Consideration for refugees as

possessing traditionally universal human qualities such as emotions and feelings is

lacking in an attempt to ensure that their lives are put on hold until they have been

processed by an efficient system of public management.

Anecdotal evidence of setbacks that occur with family reunification is presented

by CCR Executive Director Ms. Janet Dench in addition to scenarios[24]. In examining the

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[24] See Meeting No. 17, page 3 and 7.

participant roles, there is no clear agent culpable for the excessive costs and anxiety that

is evident when reunifying families; the costs can be emotional, physical, and economic.

The discourse indicates that 'Canadian society' is the patient upon which the effect of the

cost of family reunification falls. Decisions to reunite family members take into

consideration costs that may be incurred in diverse avenues such as travel and health care

and may be circumvented by national security concerns. Ms. Dench explains:

> [I]t is very costly when there are these long family separations.
> Some of that is because family members are living in desperately
> unhealthy circumstances. We have people—children and
> spouses—who don't have access to proper health care. They
> arrive, and their health situation is much worse. If it had been
> dealt with early on, with the health care in Canada, the problems
> could have been averted (Meeting No. 17: Tuesday, October 3,
> 2006, page 7).

This excerpt reflects concerns for the security of refugees in regards to health. The

security of refugees is contravened by the security of Canadians. According to a

Canadian Government representative Ms. Janet Siddall, the Associate Deputy Minister of

Operations in the Department of Citizenship and Immigration at another meeting:

> Allowing persons to travel immediately to Canada before security
> checks are finalized could place Canadians at very real risk
> (Meeting No. 27: Tuesday, December 5, 2006, page 3).

Reflective of the new public management perspective is this balancing of cost and risk as

reflected in the discourse of this government representative. Ms. Dench, the CCR

Executive Director suggests that it is too costly to keep families separated, while Ms.

Siddall the Associate Deputy Minister of Operations in the Department of Citizenship

and Immigration suggests that it is too costly to bring families together immediately.

Both sides of the balance have a level of uncertainty as to which is riskier. In regards to

agency and autonomy, there is no definite culpable agent for either side of the balance

being neglected and refugees are positioned in the centre as the patient of other's decisions.

A need to reduce avenues that provide agency for refugees is expressed by Mr. Richard Goldman, the Coordinator of Refugee Protection for the Table de concertation des organisms au service des personnes réfugiées et immigrantes. Mr. Goldman raises concerns about how the inefficiency at the level of refugee appeals provides reason for refugees to file an appeal regardless of whether it likely to be considered by the court or not.

> [O]ne of the big incentives for refused claimants right now to file at the Federal Court—some have excellent reasons for filing, others don't—is it gives them an extra three months or so during which everything is suspended. So whether they have a good case, and some do, and might even be in the lucky 10% or so that have their case heard, or whether they have no case, there's strong incentive to file at the Federal Court because it buys extra time (Meeting No. 34: Tuesday, February 13, 2007, page 7).

The argument is that all refugees will file claims to 'buy some time' to remain in Canada. According to Mr. Goldman this is expensive for taxpayers and wastes time; much of this is stated as being his own opinion rather than factually supported. This individual is advocating for the implementation of the Refugee Appeal Division (RAD)[25] which would reduce the demands for Pre-Removal Risk Assessments (PRRA)[26]. The discourse attempts to demonstrate necessity for reducing avenues for stays on appeals for refugees, thus taking away agency for refugees to influence their situation. The want for efficiency is indicative of the new public management perspective of maintaining a 'balanced sheet'.

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[25] RAD is a development in public administration that makes the appeal process for refugees more efficient. Legislation has been passed, but RAD has yet to be implemented.
[26] PRRA's are carried out prior to the removal of an asylum seeker from Canada.

c) Control (Protection from Non-normative and Criminality)

Refugees are portrayed by Ms. Jennifer Devries, the Program Coordinator of Refugees and Migration for the Canadian Ecumenical Justice Initiative (KAIROS), as experiencers with their migration being a reaction to undesirable conditions. Movement is described as a survival mechanism that 'our government' is obstructing.

> They have been obliged to move by forces beyond their control,
> such as conflict and human rights abuses, environmental
> disasters, free trade policies that flood markets with cheap
> produce so that local farmers cannot make a living, a dam that
> has forced them from their land, etc. (Meeting No. 20: Thursday,
> October 19, 2006, p 1).

Ms. Devries goes on to reproach the Canadian government for having borders that are increasingly becoming selectively permeable. What is actually censured by the speaker is the Canadian government's contradictory attitude towards migrants; an active verb is not made use of for this accusation. There is no action or occurrence demonstrated as problematic. Criticism of the Canadian government's 'attitude' softens the reproach and a change in attitude would not result in a change in the social situation of migrants and refugees. Adjustment of what the border is porous to by the Canadian government exemplifies an attempt to block or at least reduce the flow of non-normative objects or beings and open the flow to what is confidently normative and beneficial for the country (indicative of control). Further reduction of the agency of migrants is evident in the statement made by, CISSA Member-at-large, Mr. Fariborz Birjandian that there are countries that 'produce' immigrants[27], indicating that a decision to emigrate from a country does not occur. Refugees as experiencers, having at least the role of reaction, are reduced to that of patients in this discourse.

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[27] See Meeting No. 15, page 5.

The power of migrants remains minimal even upon arrival in Canada, regardless of the circumstances of their travel. Mr. Fariborz Birjandian, a Member-at-large from the Canadian Immigrant Settlement Sector Alliance (CISSA), expresses concern for the transferability of the skills that immigrants possess. The focus of this discussion is on the failure of "us" for not maximizing the potential of immigrants and not providing enough opportunity to transfer skills. According to Mr. Birjandian, the culpability is attributable to differences of 'society':

> If you look at the top ten countries that produce immigrants, I
> think the wisdom is the plumber is maybe a good plumber in
> India but may not be able to function in this very knowledge-
> based society (Meeting No. 15: Tuesday, September 26, 2006 p.
> 5).

This statement implies that advances in technical areas of life in Canada are based on knowledge that is not present in societies from which many individuals emigrate. The insinuation is that Canadian society is 'modern' and 'technologically advanced' as a part of its being 'knowledge-based'. According to the discourse there is a need to 'normalise' the skills of migrants; the implication is that the migrant is 'not normal' and requires assistance to achieve normalcy. There is no indication that migrants have the agency to normalise their own skills.

In discussing issues faced by young immigrants, very specific situations involving family and school are identified, but no solutions are offered. It is in dealing with youth migrants as minors in Canada that reduced autonomy would be understandable; however young migrants are not patients of existing public service agencies that could offer them assistance. Mr. Stephan Reichhold, a Member-at-large of CISSA explains that there is no agent to take responsibility for aiding youth facing problems in their lives:

> No one seems to be responsible for exercising leadership. The
> Department of Dducation says that Immigration is responsible
> and the Department of Immigration says that it is not responsible
> for youth, that the responsibility rests with social services and
> social services say that the youth are immigrants and that,
> therefore, they are the responsibility of the Department of
> Immigration. In the end, no one is responsible (Meeting No. 15:
> Tuesday, September 26, 2006, page. 6).

Interestingly, the concern and action taken in regard to the childbearing of female

refugees has a resolution. The tutelage expressed by Ms. Karen Roth, a Public Health

Nurse in Burnaby Health Promotion and Prevention for Fraser Health, towards adult

women far surpasses the concern conveyed for youth refugees. The invited

speaker/witness expresses concern with refugee women becoming pregnant due to some

women not having ability to properly administer daily birth control pills.

> An appropriate birth control option for non-literate refugees with
> psychosocial conditions who are unable to administer daily
> medication is the intra-uterine device, IUD, which is not covered
> by the intern federal health act. This means that the refugee must
> wait for 12 months until they are covered by welfare to obtain
> their IUD (Meeting No. 26: Tuesday, November 28, 2006, p. 5).

This provides medical personnel with agency over the reproduction of refugee women[28].

The language used by the speaker, referring to the IUD as "theirs" prior to it being

implemented by a refugee woman is suggestive of it being required of refugee women;

rather than obtaining "an" IUD, discourse suggests that refugee women are assigned

one[29]. This particular demographic is controlled and prevented from, as mentioned by

Mr. John Frecker in a later meeting, childbearing, which is a method of 'building up'

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[28] A similar occurrence is examined by Young (2004) with 'Bad Mothers' being court mandated to use Norplant.

[29] No concern is expressed for these women being unable to comprehend and consent to the insertion of an IUD or be fully informed of potential complications and symptoms of problems associated with IUD use.

humanitarian and compassionate grounds[30]. Through IUD's, agency that refugee women possessed over their own bodies is being rescinded.

When migrants are presented as having full power and agency, it is staged in a negative context. The agency of migrants is displayed in terms of their power to put health and security of individuals in Canada at risk. Ms. Janet Siddall, the Associate Assistant Deputy Minister of Operation for the Department of Citizenship and Immigration, explains why family members of a protected person in Canada cannot be reunited immediately; specifically stated concerns include tuberculosis and child trafficking[31]. Quick reunion needs to be balanced with protecting the health and security of Canadians.

> Allowing persons to travel immediately to Canada before security
> checks are finalized could place Canadians at very real risk
> (Meeting No.27: Tuesday, December 5, 2006 p. 3).

This is a situation in which agency is blurred; 'the Canadian government' puts measures in place to block the power and agency of persons traveling to Canada with the ability to put others at risk; it is uncertainty in a *potential* threat that leads to the assumption that immigrants have agency. The certain power and agency, however, lies with government officials who 'allow' persons to travel into Canada. This excerpt also exemplifies differing conceptualisations of security where health (tuberculosis) and criminality (child trafficking) are uncertain and insecure.

Mystification of Participant Roles

Evident throughout the discourse of invited speakers/witnesses are inconsistencies in the excerpts of the speakers. The syntax is proficient, however, the pragmatics of the

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[30] See Meeting No. 29, p. 11.
[31] See Meeting 27, page 3.

speakers make their suggestions difficult to follow. For instance, within the same

statement, CISSA Member-at-large, Mr. Fariborz Birjandian, portrays migrants as

'coming to Canada' and as 'being brought to Canada'.

> Every year we have about 250,000 and soon over 300,000 people
> who will come to this country. We know there are a million
> people who want to come to Canada and we are bringing them
> into this country (Meeting No. 15: Tuesday, September 26, 2006
> p. 2).

In trying to delineate the agency migrants have over their situation there is mystification

as to who is 'bringing' migrants to Canada. Overall, the immigrant is not the focus, but

rather preparations for immigrants and their settling into Canadian society; the focus is on

the 'communities, average Canadians, and government at all levels' who act and

accomplish this.

Clarity in participant roles is fleeting in much of the discourse of the invited

speakers/witnesses. Mr. Francisco Rico-Martinez, the Canadian Council for Refugees

(CCR) Co-chair of the Working Group on Inland Protection, is able to make the roles

explicit with the use of "we" and "you" differentiating between the CCR as experiencer

and the government as agent. This precision comes in the form of an implicit accusation

of past and current governmental action. The CCR as a sort of liaison between the

Canadian government as an agent and migrants as the patients advocates that:

> If you can do something about the non-status people in Canada
> taking a more comprehensive approach—without prejudice,
> without seeing them as jumping the queue, without seeing them
> as abusing the system, but seeing this as a survival move of
> different people that is created by poverty, lack of democracy, or
> whatever—that would be wonderful (Meeting No. 17: Tuesday,
> October 3, 2006 p. 11).

The insinuation is that those who control policy hold the power to make changes in the state of affairs for refugees. This discourse of Mr. Rico-Martinez does not suggest that blame need to be assigned, but rather that a feasible solution is required. Non-human agents (poverty and lack of democracy) are mentioned as culpable for non-status individuals being in the position of not having status which is a form of mystification. However, this excerpt remains solution oriented rather than the discourse focussing on non-responsibility. This solution oriented discourse is lacking for many other speakers.

Somewhat concerning is when speakers assign agency to a 'system' within their discourse. Refugees being patients of a system which Mr. John Frecker, President of Legistec Inc., describes as 'efficient' is evident in the discourse. The efficiency of this non-human agent is expressed as carrying out an important role

> [H]aving a refugee protection system that protects genuine
> refugees in need of protection and filters out those who are not in
> need of protection, and hopefully get them removed from the
> country as quickly as possible (Meeting No. 29: Tuesday,
> December 12, 2006, p. 11).

Lacking from this explanation, however, is how 'genuine' and 'illegitimate' refugees will be objectively determined as such; the absence of "I" suggests that this speaker is portraying objectivity. This speaker leaves the power in the hands of 'the system' which is a mystification of the actual agents involved. Clarity is especially deficient in that this discussion due to it being based on RAD which has been passed as legislation, but has yet to be implemented.

The frequent incorrect use of the pronoun "we" is reflected in the discourse of CCR Executive Director, Ms. Janet Dench, who inaccurately includes herself in an exclusive noun:

> I would like to underline the whole issue of public opinion and
> public perceptions. The refugee name is so often dragged in in
> inappropriate contexts. The government and parliamentarians
> can play an important role in making sure that when we talk
> about refugees we understand what we're talking about and don't
> associate refugees with abusers, with terrorists, with all of the
> other kinds of associations that are often out there. This is
> something we deal with on a daily basis that is really devastating
> for refugees in their personal lives, but also in terms of how
> policy is developed (Meeting No. 17: Tuesday, October 3, 2006
> p. 11).

The ambiguity of "we" is evident in that this excerpt is the discourse of a Ms. Dench.

While the "we" and "we're" is clearly a pronoun of the proper nouns, 'the government'

and 'parliamentarians', the speaker belongs to neither of those classes. There is

mystification with regards to how these associations came to be. What is of concern for

the speaker is who possesses the agency to rectify the encumbrances that refugees face.

This is difficult to decipher due to the speaker including themselves as both the cause of a

problem and an individual dealing with the problem of negatively stereotyped refugees.

The use of subjective personal pronouns by some speakers effectively obscures

suggestions such as who is to blame for an issue, who should be initiating a solution to a

problem. This lack of clarity results in an inability to delegate culpability for problems

and responsibility for implementing a solution. Using "we" clouds the focus of the

discourse at hand and downgrades the importance of the migrants in the situation who are

affected in their daily lives.

      With regards to the right to appeal the Archbishop of Gatineau, the Most

Reverend Roger Ébacher, who is the Chairman of the Episcopal Commission for Social

Affairs of the Canadian Conference of Catholic Bishops, engages in human rights

discourse evident in the use of the word 'hospitality'. The suggestion is that the current

determination system for refugees does not respect human rights:

> The fact that a single official can make a decision on a plane is, in
> my opinion, a very short sighted way of operating. I am not sure
> that this respects human rights (Meeting No. 26: Tuesday,
> November 28, 2006, p. 14).

The agency, according to this speaker, lies with both 'civil society' who should be backing the government in the endeavours that are done on behalf of refugees. This exemplifies the patient status of the refugees with 'the government' and 'civil society' having the power and agency to affect others. The agency belongs to the "we" who raise awareness and "people" who are experiencers and react by offering support to 'the government' The speaker expresses concern with the agency that a single official has with respect to making decisions about appeal cases. There is confusion on whether the problem is that it is a lone individual, or the type of individual that makes decisions. As and explicit as the Most Reverend Roger Ébacher attempts to be, mystification is still present and hinders the development of a solution to the issue.

In discussing the immigration appeal board and the refugee board Mr. Nick Summers, a former member of the Immigration and Refugee Board of Canada Advisory Panel, acting as an individual, addresses a concern of an opposition member, but switches the secure and insecure. The statement made is vague to a certain extent leaving the audience to fill in the gap:

> And I agree with you that there are security issues. Being an
> advocate for refugees by training and work, my main concern is
> the suffering it's causing to refugee claimants and their families
> (Meeting No. 48: Tuesday, April 17, 2007, p. 8).

This speaker suggests that the insecurity of 'the country' is not necessarily the most significant concern with regards to the inefficiency of refugee hearings. Consequences of insecurity for the refugee come to fruition more extensively for Mr. Summers than the insecurity of Canada as a country. Because this statement is implicit, the point may be

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lost on various committee members who have a different perspective on security; there is agreement that there are security issues, but for whom is not made in an explicit statement. Those who do not consider refugee 'suffering' as breach of their personal security will not agree that there is a security for the refugee.

Speakers slip into discourse of mystification when it comes to assigning culpability for problematic and inconsistent processes/processing even when there are specific individuals that are responsible. CCR Executive Director, Ms. Janet Dench explains that there are inconsistencies with the conclusions that individual officers reach when determining Humanitarian and Compassionate refugee claims[32]. The unreliability of case decisions and resultant inequitable treatment of refugees is blamed on 'the process' being discretionary. Though the system that is in place for determination may be problematic, it must fall under the mandate of a person or a group of people in a department who are liable for adequate execution. This is an example of mystification through agent deletion which prevents solutions from coming to the forefront of discussion.

Ms. Jennifer Devries, the Program Coordinator of Refugees and Migration for KAIROS, addresses forced migration lists reasons without assigning blame for the migration to any participant or agency. There is no ambiguity in the reasons listed as they are specific; explicitness is absent in agents involved in the grounds described.

> They have been obliged to move by forces beyond their control, such as conflict and human rights abuses, environmental disasters, free trade policies that flood markets with cheap produce so that local farmers cannot make a living, a dam that has forced them from their land, etc. (Meeting No. 20: Thursday, October 19, 2006, p. 1).

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[32] See Meeting No. 17, page 3-4.

These mentioned instances are so complicated that abstraction of participants is unavoidable, but as an example of mystification does not facilitate reaching a solution. It is clear the many agents are involved in these processes however these gaps must be filled in by the audience. Individual predicates determine how the gaps are filled. This speaker explains that borders are being open to free flow of good, services, and capital, but not human beings. This is evidenced in the guest-worker programs that are accredited to "Canada" as a non-human agent[33].

Mystification is obvious when the discourse becomes confusing for the audience; gaps may be rationally filled in, but not with substantial certainty. While discussing immigrant detention, Ms. Avvy Go, the Executive Director of the Metro Toronto Chinese and Southeast Asian Legal Clinic of KAIROS, describes 'the system' as being not conducive to the circumstances of arriving migrants[34]. A particular anecdote is provided with many participants involved, but none of which seemed to possess agency over the incarceration situation.

> Right now the system is that if you're in detention, you can seek
> review—at 48 hours, then seven days, and then every 30 days.
> The problem is that they come from countries where...
> Well, a lot of the reason you're detained is that they want to
> deport you, but they can't deport you unless they have a travel
> document. The problem is that a lot of countries don't issue the
> travel document, partly because, as was alluded to earlier, a
> refugee coming into Canada may not have proper ID; they
> couldn't get it from the government they were fleeing from. That
> in and of itself could be a reason for the detention (Meeting No.
> 20: Thursday, October 3, 2006 p.13).

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[33] See Meeting No. 20, page 1.
[34] See Meeting No. 20, page 13.

The conditions of the detention centre are described as "horrendous", but not attributable to any agent. Mystification is evident as who is to blame is unclear other than 'the system' or the country emigrated from for failing to issue travel documentation to those fleeing from it.

In specifically addressing steps that must be taken for family reunification in refugee cases, Mr. Francisco Rico-Martinez, Co-Chair of the Working Group on Inland Protection for the CCR, expresses concern with an inability to communicate culturally specific processes such as DNA testing for family reunification purposes[35]. The speaker seems to have difficulty conceptualising what it is that needs to be solved with regards to this:

> It's the lack of understanding of a process that is so complex and
> demanding. It demands too many things of people. They
> basically get lost in the whole process, and that complicates it
> even more. It's a situation of a lack of resources (Meeting No.
> 17: Tuesday, October 3, 2006 p. 4).

The beginning of this excerpt suggests that it is the process that is the problem and that simplification is necessary. However, the last sentence indicates that it is a lack of assistance available to get through the process that needs to be rectified. There is a complete lack of clarity with regards to elucidating changes necessary to aid refugees in family reunification. With mystification of the problem, the solution is unattainable because whether process or the resources need to be addressed is unknown.

Discussion of the Safe Third Country Agreement (STCA) involves mystification, and is abstract based on the STCA being referred to as a non-human agent. Ms. Deborah Anker, a Clinical Professor involved in the Immigration and Refugee Program at Harvard

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[35] See Meeting No. 17, page 4.

Law School explains that Canada and the U.S., as non-human agents, entered into the STCA for the purpose of gaining more power over the shared border and asylum seekers crossing it. The speaker summarizes a report and outlines the results of the agency of the STCA. In brief the STCA:

> not only failed to accomplish its stated goal of securing the border, but indeed made the border less secure, endangering the lives of refugee claimants and threatening the security of the United States and Canada (Meeting No. 33: Thursday, February 8, 2007 p. 1-2).

Attributed to the STCA are actions of failure, endangerment, and threatening security. An additional verb used for the STCA is that it has taken away from Canada's leadership with regards to refugee rights protection. This speaker uses many abstractions by implementing non-human agents in accounting for actions; consequently resolutions remain unclear.

Apparent to a great extent in the discourse of invited speakers in the committee transcripts is intelligibility of who/what a verb is referring to due to the use of pronouns with ambiguous preceding nouns. This often leads to mystification with culpability being indeterminable within the discourse. Leaving these gaps to be filled in by the audience has a function of allowing differing perceptions to identify equally with the topic communicated within the discourse. The audience is able to assign blame to any participant allowing roles to reflect the viewpoint of the spectator.

V. Discussion

It is crucial to understand that the discourse of the invited speakers/witnesses is an elite performance of sorts that has been prepared in advance. The invited speakers/witnesses set the tone for most meetings examined by commencing discussion with a presentation. After their presentation they are subject to questioning by committee members. Thus, their discourse is not without an agenda as a presentation, though it may be manipulated by committee members during the questioning period; the committee members who question the speakers/witnesses have their own agenda and steer the questioning in a particular direction. As is the objective of political discourse in general, the objective is to reach unity to the point that a majority opinion will override the minority and opposition will be minimal among committee members[36].

Through use of particular participant roles, the speakers discourse constructed migrants principally as patients who are passively affected by the actions of others[37]. Migrants in Canada as experiencers lack human emotion and minimally reacted to circumstances generated by agents. The power attributed to migrants in the discourse exemplifies them as agents of insecurity to others. The agency was uncertain, termed a 'risk' and entirely negative in the discourse of the speakers. That these speakers had the credibility to be invited to speak in the House of Commons Committee meetings demonstrates that their discourse is acceptable and legitimate; the influential position of these individuals supports the legitimacy of the way that migrants are presented. The

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[36] see Mouffe 2005
[37] see Ainsworth and Hardy 2004

elite norm, conceptual framework, and conventional discourse reinforce migrants having

a powerless participant role in Canadian political discourse[38].

'Discourse ethics' are not evident within the Committee discourse. The 'invite

only' forum of the Committee conflicts with the ability of others to participate and

question what is taken for granted within the conversations[39]. Some members present

themselves as immigrants, but their situation is not necessarily the same as all other

migrants in Canada. There is evidence that the speakers exist in their own reality based

on their perspectives of being service providers for migrants. Some speakers see what *is*

being offered for migrants settling in Canada, but the struggle of migrants brought

forward by other speakers indicate what *is not* available to migrants to help them settle in

Canada[40]. Lacking in the discourse is an understanding of the *potential* agency of

migrants; this may have become more evident if a refugee in transition had partaken in

the discussion. The discourse analysed may be related to and create communal existence

through those being involved in the discussion relating through the discourse, but the

interpretation taken away can be in complete conflict: migrants have no agency or

migrant agency is present but obstructed by various individuals, policies, and processes[41].

The impression of objectivity in the discourse of the speakers aids in preserving

the status-quo for elites. Consistent reference in the discourse to 'the system' as the

problem hinders the ability for the dominated to expose the arbitrariness of this

scapegoating; 'the system' is impersonal, but is open to adjustments by human

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[38] see Edelman 1985
[39] see Benhabib 2004
[40] see Foucault 1972; Bourdieu 1977
[41] see Nancy 1991

participants[42]. Embedded within the discourse is a classificatory system based on participant roles with migrants being submissive and often unresponsive even in a passive manner[43]. The treatment that results from this classification is a relationship of patriarchal tutelage. An assumption that is dominant throughout the discourse is that of migrants being indebted for being in Canada. There seems to be a preconception that migrants are lucky to be in Canada and be provided with services at all[44]. Forced migration was only addressed by one speaker. It is taken for granted that the speakers are content in Canada and therefore so too should migrants.

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[42] see Bourdieu 1977

[43] see Hacking 2004; Bourdieu 1977; Fuchs and Ward 1994

[44] see Fuchs and Ward 1994; Hacking 1999

VI. Conclusion(s)

Conventional moral crusades set out to raise the status of particular beings; however the discourse of speakers did not explicitly reflect the intention to raise the status of migrants in Canada[45]. The claims makers appear to be working to increase their own power and raise their own status. What was evident within the discourse of the speakers was that migrants require assistance; though this could be interpreted as a necessity to ameliorate the situation of migrants through policy, overall, they were presented as passive beings by the speakers. This may benefit migrants in the support they receive but, as evident in the discourse, at times it is granted in a condescending manner. The discourse is not indicative of 'them' being equal to 'us' in power or agency. The subordination of migrants to being patients excludes them from societal participation in decision making even in regards to their own situation. Obvious in the discourse analysed is inconsistencies in the direction and intentions with regards to social movement and migrants in Canada as there is a great deal of cloudiness in regards to what needs to be done.

Evident in the discourse is security being based on economics, risk, and the non-normative in Canada. This was a very apparent concern for speakers wanting immigrants to fill labour gaps in some sectors of the Canadian economy. A similarly fiscal concern was expressed by speakers addressing the cost of migrants in Canada. Both of these concerns exemplify a want for economic security for those residing in Canada[46]. Security is reminiscent of criminal justice and security in the description of immigration

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[45] see Becker 1984
[46] see Rose 1999

holding centres for migrants lacking documentation[47]. Insurance against risk as security is evident in the argument that some speakers suggest that it is better to deport an individual who *may* pose a risk than to not deport them because there is some uncertainty as to their capabilities[48]. Further physical safety and health of Canadian residents are brought up as being a concern that migrant security checks address[49]. Apparent in the many marked conceptualisations of security is the indeterminate 'type' of society migrants are being framed and contextualised in. There is evidence of each of Rose's (1999) conceptualisations and this indicates that there is not a consensus on what 'secure' is within the analysed discourse.

The evident need to 'balance' concepts such as 'security' with rights and justice has a consistent upshot of, as mentioned earlier, 'better safe than sorry'; 'security', however conceptualised, has a higher priority than rights[50]. The notion is that if 'security' for the majority violates the rights of the minority, the corollary is security having precedence[51]. This approach leads to hegemony[52]. Both access to rights as justice and access to justice as a right are almost completely absent from the discourse analysed[53]. Due to the focus on 'us' doing a service for 'them' by having immigrants in Canada, the entitlements of migrants as human beings (just like 'us') are lost in concerns of the many conceptualisations of security that are at risk of being breached by immigrants. Inequality and exclusion from 'civil' society may be the final unintentional or intentional consequence.

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[47] see Rose 1999; Brodeur and Shearing 2005
[48] see Rose 1999
[49] see Valverde 2003
[50] see Valverde 2003
[51] see Harvey 2006
[52] see Mouffe 2005
[53] see Benhabib 2004; Harvey 2006; Mouffe 2005

Ostentatious implication of this analysis is that there is an expectation for immigrants in Canada to be obliged by their situation regardless of hardships faced. Some speakers characterized living in Canada to be a distinguished experience. Hospitality was expressed as a main feature that Canadians should pride themselves on and those on the receiving end should be grateful. Nationalism was quite prominent within the discourse of speakers who spoke of immigrants in Canada as lucky. The assumption is that despite the adversities, it is better than where 'they' came from. This is completely a preconception, however, as individuals, such as those present in anecdotes, were not able to contribute to the committee discourse. The context of the relocation to Canada is negated in the majority of the discourse, taking away the individuality of each migrant's situation.

The threat that migrants, particularly refugees present to 'Canada' and Canadians is not clear within the discourse of the invited speakers/witnesses who appeared before the committee and evidenced in the transcripts analysed. This leads to the deduction that the threat posed by migration is constructed as a part of claims making and not concrete or actualized. Based on the discourse reflecting varying definitions of security and consequently varying society 'types' it is unclear what is being prioritized; it is clear however, that rights and justice are not at the forefront of discussions of migration. As evident in the classification of the speakers discourse, the invited speakers/witnesses come from varying backgrounds and have differing perspectives and resultant is a discrepancy in the presented value of migrants to Canadian society (Rose 1999).

Appendix A:

List of the Standing Committee on Citizenship and Immigration Meetings Analysed and Witnesses Appearing

List of the Standing Committee on Citizenship and Immigration Meetings Analysed and Witnesses Appearing

Meeting No. 15: Tuesday, September 26, 2006
- Reza Shahbazi, Chair, Canadian Immigrant Settlement Sector Alliance (CISSA).
- Fariborz Birjandian, Member-at-large, CISSA.
- Chris Friesen, Secretary, CISSA.
- Bridget Foster, Member-at-large, CISSA.
- Stephan Reichhold, Member-at-large, CISSA.

Meeting No. 17: Tuesday, October 3, 2006
- Janet Dench, Executive Director, Canadian Council for Refugees (CCR).
- Francisco Rico-Martinez, Co-Chair, Working Group on Inland Protection, CCR.
- Debra Simpson, Member, CCR.

Meeting No. 20: Thursday, October, 19, 2006
- Jennifer Devries, Program Coordinator, Refugees and Migration, Canadian Ecumenical Justice Initiatives (KAIROS).
- Avvy Yao-Yao Go, Executive Director, Metro Toronto Chinese and South East Asian Legal Clinic, KAIROS.
- Cecilia Diocson, Executive Director, National Alliance of Philippine Women in Canada, KAIROS.
- Stan Raper, National Coordinator for the Agricultural Workers Programme of the United Food and Commercial Workers Union, United Food and Commercial Workers Union, KAIROS.

Meeting No. 22: Thursday, November 2, 2006
- Heather Macdonald, Program Coordinator, Refugee and Migration, Justice and Global Ecumenical Relations, the United Church of Canada.
- Mary Jo Leddy, Director, Professor, Ontario Sanctuary Coalition, Romero House.
- Phil Nagy, Chair, Hitschmanova Committee, Unitarian-Universalist Congregation, First Unitarian Congregation of Ottawa.
- Pierre Gauthier, Refugee Outreach Committee, St. Joseph's Roman Catholic Church.
- Gordon Walt, Vice-Chair, Congregational Council, All Saints Lutheran Church.
- Stephen Allen, Associate Secretary, Justice Ministries, the Presbyterian Church in Canada.

Meeting No. 25: Tuesday, November 21, 2006
- Fariborz Birjandian, Member, CISSA.
- Morteza Jafarpour, Member, CISSA.
- Wai Young, Executive Director, CISSA.

Meeting No. 26: Tuesday, November 28, 2006

- Sav Dhaliwal, Councillor, City of Burnaby.
- Basil Luksun, Director, Planning and Building, City of Burnaby.
- Diana Mumford, Trustee, Burnaby School District.
- Karen Roth, Public Health Nurse, Burnaby Health Promotion and Prevention, Fraser Health.
- Most Rev. Roger Ébacher, Chairman (Archbishop of Gatineau), Episcopal Commission for Social Affairs, Canadian Conference of Catholic Bishops.
- Most Rev. Brendan M. O'Brien (Archbishop of St. John's), Episcopal Commission for Social Affairs, Canadian Conference of Catholic Bishops.

Meeting No.27: Tuesday, December 5, 2006

- Janet Siddall, Associate Assistant Deputy Minister, Operations, Department of Citizenship and Immigration.
- Micheline Aucoin, Director General, Refugees Branch, Department of Citizenship and Immigration.
- Luke Morton, Senior Counsel, Legal Service, Department of Citizenship and Immigration.

Meeting No. 29: Tuesday, December 12, 2006

- Raymond Guénette, Acting Chief Administrator, Office of the Chief Administrator, Courts Administration Service, Federal Court of Canada.
- Wayne Garnons-Williams, Acting Registrar, Registry Branch, Courts Administration Service, Federal Court of Canada.
- John Frecker, President, Legistec Inc.

Meeting No. 31: Thursday, February 1, 2007

- Ed Wiebe, Coordinator, National Refugee Program, Mennonite Central Committee Canada.
- Sarah Angus, Member, Justice, Peace and Creation Advisory Committee, the United Church of Canada.
- Heather Macdonald, Program Coordinator, Refugee and Migration, Justice and Global Ecumenical Relations, the United Church of Canada.
- Martin Mark III, Coordinator, Refugee Sponsorship, Catholic Crosscultural Services, Roman Catholic Archdiocese of Toronto, Elected Sponsorship Agreement Holders.
- Carolyn Vanderlip, Coordinator, Refugee Sponsorship, Anglican Diocese of Niagara, Elected Sponsorship Agreement Holders.

Meeting No. 33: Thursday, February 8, 2007

- Deborah Anker, Clinical Professor of Law, Immigration and Refugee Program, Harvard Law School.
- Efrat Arbel, Research Assistant to Deborah Anker, Immigration and Refugee Clinical Program, Harvard Law School.
- Francisco Rico-Martinez, Co-Director, FCJ Refugee Centre, As an Individual.

Meeting No. 34: Tuesday, February 13, 2007
- Claudette Cardinal, Coordinator, Canadian Francophone Section, Amnesty International.
- Richard Goldman, Coordinator, Refugee Protection, Table de concertation des organismes au service des personnes réfugiées et immigrantes.

Meeting No. 48: Tuesday, April 17, 2007
- Peter Harrison, Senior Associate Deputy Minister, Indian and Northern Affairs Canada, Deputy Head, Indian Residential Schools Resolution Canada, As an Individual.
- Nick Summers, Former Member of the Immigration and Refugee Board of Canada Advisory Panel, As an Individual.

Meeting No. 49: Thursday, April 19, 2007
- Joseph Allen, Attorney and President, Quebec Immigration Lawyers Association (AQAADI).
- Janet Dench, Executive Director, CCR.
- Stephen W. Green, Secretary, National Citizenship and Immigration Law Section, Canadian Bar Association.
- Tamra Thomson, Director, Legislation and Law Reform, Canadian Bar Association.

Meeting No. 50: Tuesday, April 24, 2007
- Jean-Guy Fleur, former Chairperson, Immigration and Refugee Board of Canada, As an Individual

Meeting No. 52: Thursday, April 26, 2007
- Ian MacDonald, Senior Barrister, Immigrant and Criminal Law, Garden Court Chambers (United Kingdom), As an Individual.

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Vita Auctoris

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