

**Uncertain Future, Unsettled Present?**  
Everyday Geographies of  
Precarious Immigration Status in Toronto, Canada

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## **Abstract**

Increasing processing times for immigration applications and increasing numbers of people admitted on temporary visas mean that more newcomers spend longer periods of time living in Canada with restricted rights and uncertain if they will be able to remain. This has contributed to an increase in precarious immigration status, which refers to a sense of insecurity caused by one's formal immigration status. The purpose of the dissertation is to examine how people are affected by living for prolonged periods of time with uncertainty about future residence and how these effects vary across space and time. The study, based on qualitative research with migrants in Toronto and people who work on migration issues, investigates how immigration status is performed in everyday life and how immigration status intersects with other social relations to produce distinctive affective textures of life in Toronto.

The research shows that formal immigration status affects people differently depending on their migration motivations, capacities, and community support networks. Lack of reliable information about the time required to become eligible for permanent residence and application processing times make it more difficult for people to make decisions about how to orient themselves towards the future, the present, and the passage of time in ways that meet their needs. It identifies two salient temporal orientations—suspending or embracing engagement with everyday life—each of which comes with benefits and risks. Finally, the research suggests that contemporary practices of immigration control can lead to an internalization of discourses that construct people with precarious immigration status as unworthy of membership in Canadian society. Participants sought to undermine these discourses through narrative

redefinition of themselves as people who have something to contribute but are stopped from doing so. I find that this resistance is necessary to people's ability to persist, yet it has a limited effect on the harm done. The research findings contribute to scholarly understandings of formal immigration status and the slow violence of living with precarious immigration status.

## **Dedication**

To Jeff, Samantha, Evie, and Alice, with love.

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## Chapter One: Introduction

Over the course of ten years working as a caseworker and advocate with hundreds of migrants who settled in the United States, United Kingdom, and Canada, I have become increasingly concerned about the slow violence (Nixon 2011) of living with precarious immigration status. In this dissertation, I examine how living for prolonged periods with precarious immigration status in Toronto, Canada unsettles everyday geographies. It seeks answer to two questions. How do people experience precarious immigration status, and what factors explain the variation of experiences across time and space? How do people adapt to living with precarious immigration status, and what are the limits and risks associated with these adaptations? I use the term precarious immigration status to mean a social relation to the state and sovereign territory that places people in a liminal position, in which they are present and belonging, but their future presence is uncertain and they are sometimes constructed as unbelonging. Thus, precarious immigration status refers not to a specific formal immigration status, but rather to a sense of insecurity deriving from formal immigration status.

The slow violence of precarious immigration status is produced by policies that control migration across borders and regulate the practices of migrants within borders. Such policies are justified by the construction of migrants as potential threats and the desire to maximize the economic benefits of migration to the nation (Atak, Hudson, and Nakache 2017; Bosworth 2008; Nakache and Kinoshita 2010; A. Pratt 2005). The policies have devastating, but often unseen, consequences for people fleeing persecution who are unable to reach a safe country (Hyndman and Mountz 2007). In my experience, contemporary forms of immigration control also have devastating consequences for the

well-being of people who are able to cross borders but find their settlement marked by hostility, criminalization, and an inability to sustain their most basic needs. My clients complained of boredom and isolation, as well as an uneasy relationship with the present, the future, and the passage of time. These problems, often named by people with precarious status as urgently painful, remain largely hidden from view because they manifest in the private lives of individuals who are unlikely to speak out about these experiences. The policies that produce such harm are growing more common and more deeply entrenched in states across the Global North, including in Canada. However, there has not been a significant public discussion of the human costs of managed migration on the lives of migrants, with a notable recent exception being criticism of the UK's pursuance of a 'hostile environment' (Webber 2018).

Over the past two decades, temporary rather than permanent migration has become a prominent feature of Canada's regime of immigration control. Canada often portrays itself as a kinder, gentler alternative to the immigration regimes of other destination countries. For example, in the context of the refugee regime, Amrita Hari writes that "Canada has a history of grand gestures of humanitarianism, allowing it to be seen as a 'refugee haven'" (2014, 38). However, securitization of the immigration regime and use of temporary migration as a policy instrument in Canada echo troubling policy trends from other Global North countries (Coates and Hayward 2005; Fudge and MacPhail 2009; A. Pratt 2005; Silverman 2014). Growing numbers of newcomers to Canada experience precarious immigration status, have limited access or no access to settlement services, and are at risk of losing their formal authorization to remain. A growing body of research shows that long-term insecurity in countries of settlement

including Canada can be damaging for health, settlement outcomes, and employment trajectories (Brekke 2004; Brighter Futures 2013; Goldring and Landolt 2011; Lacroix 2004; Simich, Wu, and Nerad 2007; Simich 2010; Tungohan et al. 2015). Adverse effects may not be easily alleviated through service provision or even regularization.

Building on literature about the material consequences of precarious immigration status, this research deepens scholarly knowledge by studying the emotional and social consequences of living with uncertainty and by attending to the temporalities of those consequences. Using the lens of slow violence (Nixon 2011), it focuses on temporal dynamics of living with precarious immigration status and the accrual of harm over time. The research expands empirical knowledge of geographies of affect, time, and migration, as well as expanding knowledge about precarious immigration status in Canada. The research contributes to geographical knowledge and understanding of precarious immigration status in four ways.

Firstly, taking a grounded theory approach (Charmaz 2006; 2008; Glaser and Strauss 1967), I draw upon the research findings to develop scholarly conceptualizations of formal immigration status and to refine the definition of precarious immigration status in ways that account for variations across space and time. Grounded theory is particularly useful for exploring a new phenomenon or examining new properties of a phenomenon, and it can help verify emergent categories (Charmaz 2008, 155–56). Although often used within migration studies, immigration status is rarely explicitly conceptualized. I argue that formal immigration status is derived from a partial and subjective way of seeing an individual for the purpose of governance. Using grounded theory analysis to refine my understanding of immigration status, I establish

how formal immigration status intersects with other dimensions of identity in ways that may or may not lead to a sense of holding precarious immigration status. I apply this insight to propose a narrower definition of precarious immigration status—one that accounts for the roles that people’s needs, desires, capacities, and other support systems play in producing or mitigating precarious immigration status. I use geographical analysis to situate experiences of precarious immigration status in particular places, such as doctors’ offices or at home, and particular times, such as when it is time to apply for or enroll in university.

Secondly, I analyze how people with precarious immigration status navigate decisions about everyday life and the future in the context of radical uncertainty about future presence in Canada. I identify two salient temporal orientations among participants, suspending or embracing engagement with everyday life. I show how each entails risks of loss and harm to people with precarious immigration status. I also show that uncertainty about timelines inhibits people from adopting a temporal orientation that minimizes the risk of harm.

Thirdly, I bring together insights from geographies of affect and temporalities (Ben Anderson 2004; Ben Anderson and Adey 2012; Bissell 2007; Jeffrey 2008; May and Thrift 2001) and empirical work on limbo and waiting among migrants (Biehl 2015; Brun 2015; Coates and Hayward 2005; Doná 2015; Menjívar 2006; Mountz et al. 2002; Tsoni 2016; P. Villegas 2014) to analyze what is distinctive about periods of time spend waiting to become eligible for or be granted permanent residence. Affirming theories that suggest periods waiting are active rather than passive even when they are

described as being “life on hold,” I show that these periods are characterized by unique and painful affective textures.

Finally, I analyze forms of resistance to immigration control, particularly discursive constructions of people with precarious immigration status as undesirable, and the extent to which this resistance is transformational. Some participants internalized their precarious immigration status, taking it as a sign that they were unworthy of membership in Canadian society. Internalization of unworthiness was very damaging and difficult to resist effectively. The findings reveal tensions between resistance and that which limits resistance. I argue that resistance is necessary to building a life in Canada but also fraught.

This introductory chapter outlines the theoretical frameworks and scholarly literature that inform the subsequent research. I begin by defining precarious immigration status. I then examine why the lens of everyday life is useful to the study of precarity. Next, I lay out the relationship between formal immigration status and violence. Lastly, I show how immigration control is connected to a hierarchy of rights and discourses about desirability.

### ***Conceptualization of Precarious Immigration Status***

Drawing largely on empirical examples from the United States and Canada, recent literature has begun to draw attention to conditions faced by migrants that scholars refer to as legal nonexistence, limbo, liminality, or precarity (Chavez 1991; Coutin 2000; Goldring, Berinstein, and Bernhard 2009; Goldring and Landolt 2013; Gonzales 2016; Menjivar 2006; Mountz et al. 2002). Initially, the terms were used to capture a specific subset of migration and settlement experiences among Central Americans in the United

States, particularly Temporary Protected Status (TPS) and other limited forms of protection offered to forced migrants. Alison Mountz et al. (2002) use the term 'limbo' to describe permanent temporariness in which Salvadorans seeking asylum in the US found themselves. They were granted temporary stay of deportation and the right to work, but excluded from refugee status and the rights associated with it, namely permanent stay and family reunification. "The temporary policies were initially created with the intention of allowing Salvadorans to work as they awaited the resolution of their asylum cases. Instead...the temporary programmes have been repeatedly extended and renamed, resulting in a state of perpetual limbo" (2002, 343). Similarly, Cecelia Menjívar examines how Central Americans who fled to the US occupy a liminal position "characterized by its ambiguity, as it is neither an undocumented status nor a documented one, but may have the characteristics of both" (2006, 1008). This research demonstrated that legality is complicated, rather than binary. It also showed that immigration laws created liminality, shaping the everyday lives and subjectivities of Central Americans, even as their resistance shaped the policy context (Coutin 1998; 2000; Menjívar 2006; Menjívar and Abrego 2012).

As research draws attention to the superdiversity of migration (Meissner and Vertovec 2015; Vertovec 2007) as well as how newcomers claim belonging, engage in politics, and constitute themselves as citizens (Carens 2005; Isin and Nielsen 2008; McDonald 2009; Nyers 2011; Wright 2003), there has been more attention to how people with other immigration statuses and in other countries experience themselves as in an in-between position of belonging and unbelonging. The most expansive definition of this phenomenon is the one offered by Luin Goldring and Patricia Landolt and their

co-collaborators working in the Canadian context. Like Menjívar, they draw inspiration from Nicholas De Genova (2002; 2004) in seeking to blur distinctions between the il/legal binary. They do so by bringing attention to two aspects of what they call precarious immigration status. Firstly, they highlight how many of the conditions of precarious immigration status, such as deportability and lack of access to the social safety net, are shared by people across formal immigration statuses. Secondly, they argue that in Canada, most illegalized migrants become illegalized after previously holding an authorized immigration status, drawing attention to movement between formal immigration statuses. They identify precarious immigration status as

marked by the absence of any of the following elements normally associated with permanent residence (and citizenship) in Canada: (1) work authorization, (2) the right to remain permanently in the country (residence permit), (3) not depending on a third party for one's right to be in Canada (such as a sponsoring spouse or employer), and (4) social citizenship rights available to permanent residents (e.g. public education and public health coverage). (Goldring, Berinstein, and Bernhard 2009, 240–41)

Therefore, Goldring and Landolt understand precarity in the case of precarious immigration status as being produced by laws that restrict access to substantive citizenship rights on the basis of formal immigration status. These laws limit rights to presence in Canada, work, family unity, health care, settlement services, and welfare benefits. In their subsequent book, *Producing and Negotiating Non-Citizenship*, contributors use the framework of precarious immigration status to analyze how precarious immigration status affects people who share a formal immigration status

(e.g. as temporary foreign workers or refugee claimants) or people who share other characteristics but not necessarily formal immigration status (e.g. youth or people needing access to health care services who hold some form of precarious immigration status) (Goldring and Landolt 2013).

While acknowledging the work of Goldring and Landolt, I use a somewhat narrower definition of the term precarious immigration status. For the purpose of this research, precarious immigration status refers to a sense of insecurity that derives from how immigration policies intersect with other social relations and dimensions of identity rather than referring to the formal immigration status itself. Precarious immigration status is a heightened sense of insecurity or vulnerability caused by one's formal immigration status. In other words, it refers to the ways that formal immigration reverberates through people's lives. As I use it, precarious immigration status means a sense of uncertainty or lack of control over the duration and terms of residency deriving from formal immigration status.

Under this definition, precarious status is associated with, but not reducible to, formal immigration status. Instead of including all people with formal immigration statuses that have fewer rights than permanent residents—in other words, people illegalized, people claiming refugee status, people whose refugee claims have been refused, people claiming permanent residence on the basis of humanitarian and compassionate grounds, and holders of temporary visas (e.g. international students or people with work visas, as well as their dependents)—I follow Deepa Rajkumar and her co-authors (2012) in excluding people who hold those statuses but do not experience their formal immigration status as precarious: “elites for whom migration is often

seamless and temporariness is associated with robust rights to mobility and strong claims to civil and social privileges” (Rajkumar et al. 2012, 485).

The definition I use recognizes that, in limited circumstances, refugees, permanent residents, or citizens of Canada could self-identify as holding precarious immigration status. Some refugees are excluded from applying for permanent residence, limiting their ability to travel outside Canada or apply for family reunification (cf Ali 2013; Brouwer 1998). Permanent residents and even naturalized citizens can have their status revoked for non-compliance with residency restrictions, serious criminality, or fraudulent misrepresentations on immigration applications (Globe and Mail 2017; Macklin 2014b; Nyers 2018). For these reasons, I find it more useful to limit use of the term precarious immigration status to those who experience their immigration status as precarious rather than assuming precarity on the basis of immigration status alone. I take up this issue in more detail in Chapter Four of the dissertation.

Because the study of precarious immigration status is relatively new in Canada, a number of theoretical and empirical questions have yet to be explored fully. Scholars have analyzed the conditions faced by Temporary Foreign Workers (Hennebry, Preibisch, and McLaughlin 2010; Hennebry 2012; McLaughlin and Hennebry 2013; Nakache and Kinoshita 2010; Nakache 2013; 2015; Strauss and McGrath 2017) and the effects of precarious immigration status on health (Hynie, Ardern, and Robertson 2016; A. Li 2013; Magalhaes, Carrasco, and Gastaldo 2010; Cécile Rousseau et al. 2011; Simich 2006; P. Villegas 2013). There are growing literatures on youth with precarious immigration status (Bernhard et al. 2007; F. Villegas 2013; 2017; J. E. E. Young 2013), and how precarious immigration status affects labour market outcomes following access

to permanent residence (Goldring and Landolt 2011; Landolt and Goldring 2013; G. Pratt 2004; Tungohan et al. 2015).

My dissertation contributes to the study of precarious immigration status in four ways. First, the findings reinforce the value of studying across formal immigration status on the basis of shared conditions such as uncertainty about the future. My second intervention is to call for a more nuanced conceptualization of immigration status that acknowledges that the state defines immigration status, but that people remain immersed in other social relations that configure people's experiences. To do so, I demonstrate that experiences of formal immigration status vary between individuals, as well as across time and space, highlighting the role of social networks in shaping those experiences. Thirdly, I examine how immigration status affects people's temporal orientations, a theme that has been more thoroughly explored in other countries (Allsopp, Chase, and Mitchell 2015; Brekke 2004; Brun 2015; Rotter 2010; 2016; for a Canadian example, see P. Villegas 2014). Temporality and waiting may seem an ephemeral concern compared to more conventional topics like poverty, discrimination, access to health care, and social exclusion. Based on my professional work with migrants, I observed it to be a pressing concern among people with precarious status and thus one worthy of further exploration. Finally, I explore the limits to resistance against regimes of immigration control among people with precarious immigration status. Opposition to these regimes was limited by fear of deportation and the desire to gain secure immigration status in Canada. People opposed the ways they were constructed as undesirable, but the efficacy of this resistance was limited, and such constructions remained harmful.

## ***Everyday Life as a Site to Study Precarious Immigration Status***

This research studies precarious immigration status by examining moments and interactions in everyday life to see how immigration status is performed and how people cope with the challenges it creates. Following Ho and Hatfield, I understand the everyday to be “actions, objects and subjectivities that have become naturalized because they are so small or because they occur so frequently that they seem unremarkable...labeled as ‘mundane’ and ‘banal’” (2011, 708). In the everyday, I include care, social reproduction, and interpersonal relationships, those activities that are often considered distinct from economic life in a capitalist society. Yet Lefebvre sees the distinction as a false one and regards daily life as the ‘connective tissue’ that gives structure to life in its totality (Gardiner 2000, 79). The very banality of the everyday meant that it was largely overlooked as a valuable site of knowledge production in geography until the 1980s and 1990s. One of the epistemological interventions of feminists and poststructuralists has been to call for greater attention to the everyday, especially as a way of understanding how seemingly fixed relations are in fact emergent processes that can be studied and contested in the ways in which they unfold (Dyck 2005; Katz and Monk 1993; McLafferty and Preston 2010; Mitchell, Marston, and Katz 2003; Staeheli and Martin 2000).

Drawing upon this epistemological tradition, I study micro-moments in which life practices are forged, whether because of or in spite of liminal immigration status, as a way of engaging with wider debates about immigration control, sovereignty, illegalization, and settlement. Dyck writes, “A focus on the ‘everyday’ does not confine theoretical work to what might be erroneously thought of as merely ‘local’; rather, it

holds tremendous potential for opening up understanding of processes operating at regional, national and global scales” (2005, 243). The everyday, then, becomes a site to understand how precarious immigration status reverberates through mundane activities and encounters, taking on meaning both within and beyond economic life.

### ***Immigration Status and Violence***

Concerns for social justice underlie the research questions. I identify the production of precarious immigration status as a form of violence, a violence to which I object. Violence has been colloquially understood as bodily harm from a visible and identifiable event, such as assault or war (Anglin 1998, 145; Nixon 2011, 2). But a number of scholars have sought to expand that definition to include harm that is less visible, derives from a source less identifiable, or accumulates over time such that it cannot be attributed to a particular act (Anglin 1998; Berlant 2007; Menjivar and Abrego 2012; Nixon 2011). Such literature draws attention to structural conditions, particularly those related to global capitalism, that subvert chances for survival, cause illness, or deny opportunities for emotional and physical well-being. Both Lauren Berlant’s (2007) writing on slow death through the destruction of bodies through the malnourishment of the poor and Rob Nixon’s (2011) on slow violence through environmental degradation emphasize the importance of attending to harm that unfolds gradually.

I define violence as an intentional act or set of acts that cause pain or fear, where that pain or fear is severe enough to significantly affect someone’s physical or emotional well-being. For some people, precarious immigration status amounts to a form of violence, in which the ability to feel safe and meet one’s basic needs is jeopardized by

one's formal immigration status. The ways people are rendered homeless or insecurely housed, undernourished, confined to work in dangerous jobs, along with the denial of access to health care on the basis of their formal immigration status constitute a form of violence that may be immediate, but in many cases becomes more severe over time (CBC News 2019; Premji and Shakya 2017; Procyk, Lewchuk, and Shields 2017; Toronto Star 2019). People may also experience a wearing down of physical and emotional well-being due to high levels of stress and anxiety about the effects of precarious immigration status. It can also include being treated as un-belonging, when un-belonging is associated with losing access to structures that support people's ability to meet their basic needs. Nixon's use of the term "slow violence" is particularly relevant when the violence people experience derives from periodic repetition of exclusion, treatment as un-belonging, and denial of key supports, accompanied by the expectation that such incidents will recur at times when support and safety are most needed. The slow violence of precarious immigration status re-shapes people's present and future, interfering with their ability to live what Judith Butler (2004b) has called a livable life.

Work on forms of structural violence that play out slowly highlight the difficulties of representing and challenging such violence. The challenges are twofold: the invisibility of both cause and outcome, as well as the de-politicization of that harm. Nixon (2011, 2) writes that "tales of slow violence, unfolding over years, decades, even centuries, cannot match [the political and emotional heft of immediate, visceral examples of violence.]" For Nixon, slow violence cannot be easily identified and comprehended in an era of flickering attention spans. Even when pointed out, slow violence cannot capture our collective imagination and horror in the same way as

spectacular violence. The lack of immediate cause hampers the urgency of an immediate solution. Furthermore, the violence itself can be difficult to see. In Nixon's case, the violence is sometimes driven inward, playing out at microscopic levels, potentially remaining "unobserved, undiagnosed, and untreated" (2011, 6). For people with precarious immigration status, precarity is similarly driven inward. It erodes self-worth, social engagement, and economic security; it infiltrates decision-making, such that the future is tinged with emotions of the past.

Exposure to slow violence is often uneven, disproportionately affecting abject populations, where the causes of that slow violence are considered to be byproducts of social systems that appear normal or neutral. Indeed, certain forms of violence are tolerated and rationalized, while others are vilified (Jackman 2002). Mary K. Anglin (1998) links structural violence to categorization itself, citing hierarchies inherent to racialization and gender relations as forms of (tolerated) structural violence. Berlant writes about the re-casting of obesity as an outcome of bad choices—a personal failing rather than the predictable outcome of exploitation, the debt cycle, and the production of fantasy that can be satisfied through consumption. Thus, contesting slow violence is a profoundly political act about the distribution of well-being and harm. At issue here are forms of violence that are not interpersonal, where there is a clear perpetrator, but where certain populations are seen as deserving targets, or at least allowed to be targets, of structural violence caused by the organization of society, order, and government. Drawing on Anglin, I show that, for people with precarious immigration status, their categorization within a hierarchy of rights and desirability and the treatment that stems from such categorization constitute a form of structural violence

that comes in the form of what Cecelia Menjivar and Leisy Abrego call “legally sanctioned social suffering” (2012, 1413). In other words, the violence is produced through laws that choose which newcomers will be subjected to conditions that interfere with their safety and well-being.

The slow-ness of the violence of precarious status means it does not occur in a particular place or during a particular incident, but over the course of repeated incidents in multiple locations, such that the violence is folded into the very act of living. Thus, it is important to explore the relationship between slow violence, or what Berlant calls slow death, and living. Berlant writes that slow death is “simultaneously at an extreme and in a zone of ordinariness, where life building and the attrition of human life are indistinguishable” (2007, 754), a tension that motivates much of the analysis in the subsequent papers. I examine the affective textures of everyday life to read the gap between living relatively free of concerns for immigration status and living with the uncertainty of precarious status. In particular, I look at how precarious immigration status interferes with building what Judith Butler calls a livable life. Underpinned by the concept of performativity, Butler’s book *Undoing Gender* asks what humans require in order to make life livable. In Butler’s view, social and political arrangements are key to livable life because we are dependent upon and vulnerable to those with whom we interact.

[W]e must ask... what humans require in order to maintain and reproduce the conditions of their own livability and what are our politics such that we are, in whatever way is possible, both conceptualizing the possibility of the livable life, and arranging for its institutional support? (2004b, 39)

Butler (2004) does not give a tangible definition of livability—the conditions that might make life livable or unlivable. She may have done so purposefully as a strategy to allow for a subjective understanding of livability. Nonetheless, the lack of a definition of livability makes it difficult to operationalize in empirical work. Through her examples of violence against lesbian, gay, bisexual, trans, queer, and intersex individuals, we can infer that physical harm could be one condition under which life is not livable. Because Butler’s work focuses on iterative practice, we can extend this possible definition to include the accrual of harm in the form of slow, structural violence as a factor that interferes with the livability of life.

The research draws attention and visibility to the violence caused by precarious immigration status. Contesting violence is a political act. So, too, are the actions that render violence in/visible. For violence to remain hidden is, according to Grace Cho, “another act of violence, such as a subjugation or explicit erasure” (2008, 31) . However, visibility, too, is implicated in power relations. It can be a tool for making something legible and more easily governed (Scott 1998). As Cho explains,

Eve Sedgwick, for example, points out that many forms of violence are not hidden, but rather “offered as an exemplary spectacle,” and that “visibility itself constitutes much of the violence.” As many Foucauldian critics would argue, seeing always implies “relations between vision and supervision.” (2008, 32–33)

Deportation and border control have increasingly become a spectacle for popular destination countries, including Canada: an opportunity to show the relevance of the state in protecting the nation from a threatening other (Dauvergne 2008; Nyers 2018). Although slow violence has been explicit in some contexts, such as the hostile

environment in the UK or politicians speaking of self-deportation (Bulman 2018; Madison 2012; Rocha et al. 2014; Webber 2018), it is often discussed in a disembodied way, allowing the public to assume that those harmed are physical manifestations of threat. When confronted with stories of individuals affected, such as victims of the Windrush scandal that went public or people stuck in long asylum processing queues, the use of slow violence to harm migrants is not as popular (Bulman 2018; Toronto Star 2016b; The Guardian 2018; Webber 2018). The purpose of this research is to make visible the extent of the slow violence exacted by regimes of immigration control but without making visible practices of migrants that might subject them to increased scrutiny and regulation, following M. Milagroz Lopez as cited by Cindi Katz (1994).

Although the work of Nixon (2011) and Berlant (2007) on slow violence and slow death have been influential in a variety of social science fields, few of the works that cite them are scholars of borders and migration. While some migration studies scholarship mention precarity as a form of violence, violence is often not a central concept of the research and remains under-conceptualized. My research highlights the contradictions people negotiate, learning to adopt both slow violence and living on into the rhythms and textures of their everyday lives.

### ***(Un)Belonging and Hierarchies of Desirability***

More newcomers are entering Canada with fewer rights. Implied in the multiplicity of entry routes and pathways to permanent residence (Alboim and Cohl 2012; Baglay and Nakache 2013) is that different immigration statuses are associated with different rights and different eligibility criteria to apply for permanent residence. Restrictive policies aimed at newcomers are about what Nira Yuval-Davis calls the

politics of belonging, or how the boundaries of who can belong and under what conditions are constructed (Yuval-Davis 2006; Yuval-Davis 2007). The politics of belonging are implicated both in formal belonging, in terms of immigration status and citizenship, and in substantive belonging, in terms of acceptance and recognition. Many of the challenges of precarious immigration status—both material and affective—stem from being constructed as belonging and as unbelonging simultaneously, a contradiction that interferes with the stability of people’s sense of belonging. Humans have an inherent need for belonging. Belonging contributes to sense of self and to well-being, and belonging has been the subject of much research within psychology and sociology (George and Selimos 2017; Yuval-Davis 2006). Thus, it is no surprise to find that concerns about un/belonging underpin discussions I had with participants about how they are affected by their precarious status.

Belonging refers to emotional attachment to people, communities, and places. Glynis George and Erwin Dimitri Selimos, drawing on Yuval-Davis, write that belonging refers to “a dynamic process of becoming and of self, characterized by recognition, membership, participation, and attachment” (2017, 1). As this quote suggests, belonging is inherently relational and variable. Belonging involves two interrelated dimensions: one’s own sense of belonging and the extent to which those claims of belonging are accepted and reinforced by other members of the community of belonging. Not only do these dimensions mediate one another, but they fluctuate in ways that are temporally and geographically specific. A mismatch in the desire for, feelings of, and recognition of belonging create difficulties for security of self and how the self will be received in relation to others.

Scholars of migration and of belonging acknowledge that border enforcement and the construction of immigration status serve as sites at which the politics of belonging are negotiated (Chatterjee 2015; Dahlstedt et al. 2017; Hari 2014; Huot et al. 2016; Yuval-Davis 2006). Policies about immigration and naturalization set out the conditions under which a person without Canadian citizenship may enter or remain in Canada. Immigration policies in Canada are largely concerned with the ability of a person to contribute to the nation, where contribute is understood in terms of economic contribution (Macklin 2014a; Simmons 2010). While migration on the grounds of family reunification and humanitarian grounds is tolerated, migration policies are largely concerned with permitting entry of those perceived as skilled and knowledgeable while filtering others more carefully (Chatterjee 2015; Huot et al. 2016). Although in practice, economic migration involves the recruitment of people to work in both high- and low-paid occupations, those two groups are admitted under different terms. Higher-paid migrants have privileged access to enter with permanent residence or, in cases of entering on a temporary visa, have a clearer path to be granted permanent residence in comparison to their lower-paid counterparts. Barriers to entry, access to social goods, duration of stay, permanent residence, and citizenship are entrenched in law as a reflection of lower desirability of certain migrants (Huot et al. 2016; Mountz 2010):

the immigration status of newcomers (immigrant, refugee, refugee claimant) represents a hierarchy of rights with both legal and practical implications for social exclusion. Furthermore, the actual possibilities for economic, social and political inclusion of all newcomers, regardless of their formal immigration status, are too often in contradiction to the formal and official promises of

multiculturalism, anti-racism and citizenship acquisition. (Omidvar and Richmond 2003, 12)

These contradictions are not surprising, given that immigration policy itself can be considered to be an awkward compromise between competing imperatives—the economic imperative to accept migrants for their knowledge and labour and the political imperative to maintain national community, an imagined community in which ideals of race and shared values play a prominent role in that imagination (Benedict Anderson 2006; Chatterjee 2015). As certain functions of national governments have been hollowed out by globalization and global capitalism, control over the movement of people across borders has become an important spectacle of sovereign rule (Fuglerud 2004). For example, the percentage of rejected asylum claims and numbers of deportations have become important statistics that governments make well known, rather than deportation being a peripheral and quiet exercise of authority (Nyers 2018). Rejection of potential migrants, alongside the regulation and deportation of migrants who were admitted, are considered to be not only legitimate, but also crucial roles, for the state, and through these means the national community is constituted and disciplined (Bosworth and Guild 2008; Fuglerud 2004).

Although the state cannot be the sole arbiter of the politics of belonging, the state is both an outcome and producer of social norms. Thus, while the state determines immigration status, and with it, hierarchies of belonging, those statuses are enacted or not in myriad ways. Migrants may experience strong social belonging in their neighbourhoods, communities, and workplaces, even while they anticipate exclusion while seeking health care, municipal services, and access to permanent residence.

Furthermore, the functions of immigration status are further mediated by other intersecting dimensions of identity, and, as such, immigration status becomes one of many layers that impact belonging. Encounters that reinforce un/belonging can be unpredictable, such that one does not know how they will combine or overlap in a given moment or a particular location.

### ***Conclusion***

My point of departure for this dissertation is that Canadian immigration policies have likely increased the number of people living with precarious immigration status and experiencing uncertainty about the future. More people are in a position of waiting to become permanent residents, and during this period they have limited or no access to settlement services and health care (Goldring and Landolt 2013). Secondly, as processing times have increased for certain application forms, people are also placed in a position of waiting longer to be in a position of more certainty (cf Toronto Star 2015b). People are affected differently by this position, with some having sufficient alternative sources of support to make up for lack of institutional support. Some of the negative consequences of precarious immigration status include: anger at the immigration regime and the society that produced it; difficulty engaging in activities that would help smooth current and future incorporation in Canadian society; delayed access to schooling and accumulation of human capital; and internalization of status in a way that devalues sense of self.

The subsequent dissertation is composed of the six chapters: a chapter on methodology, a chapter situating the research within the Toronto and Canadian context, followed by three empirical chapters written to function as stand-alone papers. The

three papers address the issues of conceptualizing immigration status, temporal orientations and affective textures of living with precarious immigration status, and resistance among research participants. The last chapter is a conclusion for the whole dissertation, in which I review the main empirical findings, their theoretical significance, and suggest avenues for future research on precarious status in Canada.

## Chapter Two: Methodology and Ethics

Precarious immigration status in Canada has significant implications for the lives of migrants as well as for policymaking, service provision, and the well-being of communities (Goldring and Landolt 2013; Steele Gray et al. 2010; Vosko, Preston, and Latham 2014). Yet there are barriers to researching precarious status while preventing harm caused by participation (Bernhard and Young 2009). Proactive regimes to deport migrants deemed to be unwelcome and a growing tendency to securitize migration (Andreas 2003; Nyers 2018; A. Pratt 2005) mean that some people are hesitant to speak out about their experiences. Trust and confidentiality are essential to the production of excellent and ethical knowledge about precarious immigration status (Bernhard and Young 2009; Bhuyan et al. 2018; Düvell, Triandafyllidou, and Vollmer 2010; Jacobsen and Landau 2003; Lahman et al. 2011). Furthermore, qualitative research that explicitly includes illegalized migrants as participants is relatively new in Canada, meaning there are not yet clear norms about research methods that can build a body of knowledge about an important issue while satisfying the requirements of Research Ethics Boards (REBs) and ethical research more broadly.

I approached the dissertation research committed to the importance of examining the effects of policies that produce precarious immigration status, for invisibility of violence can be a tool in the reproduction of that violence (Cho 2008; Düvell, Triandafyllidou, and Vollmer 2010; Hiemstra 2017). At the same time, I anticipated challenges in collecting data that would advance knowledge without risking harm to individual participants or to other people with precarious immigration status (Black 2003; Düvell, Triandafyllidou, and Vollmer 2010). Navigating these imperatives

was particularly challenging during three phases of the research—determining what data to gather or avoid gathering; recruitment methods; and representation and confidentiality in dissemination. Throughout this methods chapter, I elaborate on why I made particular decisions to proceed cautiously or refuse to proceed (Coddington 2017) and how my decisions shaped the research findings as they are represented in the subsequent dissertation. In engaging in such a discussion, I am drawing upon feminist literature that considers research to be “a process not just a product” (England 1994, 82), such that critical examination of the research process is a valuable exercise (Billo and Hiemstra 2013; Crane and Kusek 2014; Haraway 1988; Katz 1994; G. Pratt 2000; Rose 1997).

The chapter opens with a summary of the research questions and data collection methods used in practice before tracing the project from planning to implementation, describing how and why methods evolved during fieldwork. Next, I elaborate on recruitment results, including numbers of participants and some demographic data. I then discuss the role of my positionality in conducting fieldwork and analyzing data and how my positionality affected the research. Finally, I explain ethical choices I made about how to represent my data and the experiences of participants.

### ***Background: Uncertain Future, Unsettled Present?***

The research was conducted as part of the requirements of a doctoral degree program in the Department of Geography at York University. I am interested in how immigration status is performed, and particularly in using migrants’ own experiences to further theoretical and empirical understandings of immigration status (Charmaz 2008; Glaser and Strauss 1967). For the dissertation, I address this issue by using qualitative

methods to examine the spatio-temporal dynamics of prolonged periods spent living with uncertainty about the future among people with precarious immigration status in Toronto, Canada. I examine how experiences of status, coping strategies, and forms of resistance change over space and time, as well as how uncertainty about future stay in Canada unsettles how people approach the present and future, where the present and future are mutually constituted. The research questions, therefore, are framed around the concept of precarious immigration status, an umbrella term that encompasses a broad range of formal immigration statuses and a great diversity of experiences of migration. I address the reasons for conducting research to encompass such diverse experiences in more detail in the introductory chapter as well as the first substantive chapter (Chapters 1 and 4, respectively).

Between July 2015 and July 2016, I spoke to 24 adults, either in an interview or focus group setting, and interviewed 13 people about their work on migration issues. A detailed table of recruited participants is included under the subheading Recruitment Results (see page 40). In addition, I conducted participant observation at Toronto City Council committee meetings, working group meetings and consultations led by the Canadian Council for Refugees, and migrant justice protests in Toronto. Despite initial plans for focus groups and repeated contact with key informants (migrants), most meetings were semi-structured interviews and most participants were only interviewed once. The reasons for these changes to data collection are elaborated below. However, I did conduct a single focus group involving nine women about their participation in Canada's Live-In Caregiver program, and two interviewees met me a second time for a follow-up interview.

Ultimately, I excluded a few participants from the analysis because they did not fit the recruitment criteria. Three were interviewed at a union-sponsored social gathering early in the fieldwork period. They were in Canada doing seasonal agricultural work (SAW) and had come to Canada under the SAW program many summers prior to when I interviewed them. I did not include them in analysis for the dissertation because their residence and work were not in the Greater Toronto Area (GTA), but rather on farms outside St. Catherine's. The service provision landscape in St. Catherine's is quite different than in Toronto, where the remainder of fieldwork took place, and I excluded them to focus on the specificities of the GTA. However, these early interviews were useful in informing small changes to the interview guide and therefore they enriched future data collection (Glaser and Strauss 1967). I also excluded an interview with a woman from China studying at a Toronto university. As I describe in more detail below, I was recruiting people who wanted to remain in Canada but did not know if they would be able to stay due to their precarious immigration status. By contrast, this woman did not identify as having precarious immigration status since she had not yet decided whether she wanted to return to her country of origin following her studies. Finally, I did not include two focus group members. While they provided their basic information, they said little or nothing during the rest of the focus group. Therefore, I know little about their experiences in Canada.

The dissertation, then, consists of data from 20 conversations with 18 participants, along with 13 interviews with 15 people working on migration issues. I recruited participants who had been in Canada for two years or more and self-identified as being worried about their future stay in Canada. The analysis in the dissertation

focuses primarily on the narratives shared by participants about their own lives. The people interviewed about their personal experiences are taken as the experts on the effects of immigration policies (Taha 2018), and accordingly they are the key informants. In meetings with participants, we discussed people's everyday lives, life course and future goals, emotional and affective experiences of immigration status over time, and contact with representatives from Immigration, Refugees, and Citizenship Canada (IRCC) (formerly known as Citizenship and Immigration Canada or CIC) and Canada Border Services Agency (CBSA).

The 13 interviews with people about their work on migration issues were with a variety of practitioners—directors of settlement services, frontline settlement service workers, directors of counseling services, counselors, immigration lawyers, activists, policy analysts, along with a union organizer, and a City employee. The interview guide and content of the interviews varied significantly across interviews because the expertise of the people involved differed. In general, I asked questions about current policies (federal, provincial, and/or municipal, depending on the interviewee), recent policy changes, availability and accessibility of services, and organization priorities. For those who worked directly with clients, I also asked about what concerns their clients mentioned, what coping mechanisms they had observed, and what advice they gave to clients about living with precarious immigration status. These interviews were largely used for context: to help me understand the landscape of policies and services and to look for resonance and dissonance with practices described by migrant participants.

I recorded interviews and the focus group, as well as taking notes immediately after the meetings about important themes and the ways participants responded to

certain questions. I later transcribed the recordings and again took notes about my impressions of the meetings. After data collection was complete, I coded by hand the transcriptions for broad themes. I began by using codes relevant to the research question, but expanded the codes informed by the data itself. The coding grouped together responses that supported or contradicted the theme or code. The final coding tree can be found in Appendix G. Using grounded theory (Charmaz 2008; Glaser and Strauss 1967), I moved between existing theoretical knowledge and the empirical data in order to see how my findings could inform and refine theories and conceptualizations within the fields of geography and migration studies.

### ***Planning Data Collection***

At the outset of the research, I wanted to generate a rich set of data that could be analyzed for emotional and embodied effects. To do so, I planned to lead two in-depth focus groups, one with men and one with women. Each in-depth focus group would consist of ten sessions: an introductory session followed by nine others that were planned around themes such as everyday life, future goals, daily paths throughout Toronto, and contact with representatives of IRCC and CBSA. In-depth focus groups differ from the more typical one-off focus groups in that they involve regular meetings with the same group of people (Bosco and Herman 2010; Kneale 2001). In-depth focus groups allow participants to get to know one another and, ideally, become more comfortable expressing their views over time. Building trust through repeated contact has been used by other researchers to delve more deeply into a sensitive topic (cf Bernhard and Young 2009). Given the difficulties of conveying emotional and embodied responses in words, I wanted to use dynamic discussions to explore the complexities of

participants' experiences. In a focus group, I could take notes not only on what participants say, but also their silences and embodied responses to the thoughts of their fellow focus group members. I planned to supplement in-depth focus groups with individual interviews of focus group members, in which I could elicit longer personal narratives than can be done in a group setting.

I also planned to interview local organizers and other professionals who work on issues related to precarious immigration status, such as lawyers, government employees, activists, and service providers. The goal of these interviews was to draw out recent changes in immigration law and practice, and resources available to people with precarious immigration status as well as the resonance and dissonance between processes at different scales, such as national immigration policy, provincial funding of settlement services, and Toronto as a so-called sanctuary city (see Appendix E, F).

In explaining the project and making recruitment materials, I expressed the concept of precarious immigration status using plain language. I used the phrases "worried about future stay in Canada" or "in Canada without permanent residence." I intended to recruit participants who met all of the following criteria:

- are adults born abroad;
  - are without Canadian citizenship;
  - would like to remain in Canada but are concerned about their ability to control whether or not they can;
  - have been living with precarious immigration status for two years or more;
- and

- either live in Toronto or have regular, enduring ties there (recognizing that some people may be insecurely housed and move frequently).

I wanted to speak to people with two or more years of experience living with precarious immigration status because I was interested in prolonged periods of time with precarious immigration status. I wished to speak to participants about whether their experiences of precarity had evolved over time, and if so, in what ways. I expected that recruitment would yield a mixed group in terms of formal immigration status and country of origin, but who share the experience of uncertainty about future presence in Canada weighing relatively heavily upon them—people whose status is temporary and where that temporariness leads to a sense of precarity.

Focus groups with a mixed nationality group create potential challenges, but also benefits. Firstly, the strategy speaks to my imperative to document the broad impact of living with precarious immigration status. Secondly, it avoids methodological nationalism, a pitfall in some social science research whereby a widely-experienced phenomenon, such as migration process or settlement trajectory, is studied through the examination of the experiences of people who share a national origin (Glick Schiller 2010; Meissner and Vertovec 2015; Sager 2016; Wimmer and Glick Schiller 2002). A project supported by assumptions of methodological nationalism can inadvertently focus attention on a particular group of people, diverting attention from the phenomenon itself. Because my interest is to contest the effects of policies that produce growing numbers of migrants with precarious immigration status and increase the length of time people must live with precarity, I wanted to show how these policies affect people from many countries of origin.

I planned to use purposive sampling (Etikan, Musa, and Alkassim 2015) to recruit a small number of men and women who self-identified as living with precarious immigration status with a broad range of experiences of precarity. Purposive sampling makes sense in this context because there is insufficient data to create or even approximate a sampling frame from which to draw a random sample of participants. While IRCC publicizes statistics about entry by nationality and immigration category, it is difficult to obtain data about exit by immigration status and immigration status transitions, especially from one temporary status to another. There is no complete data set the loss of formal authorization and illegalization within Canada. As a result, there is limited information about the existing population of migrants in Canada by formal immigration status at any given time. Similarly, the City of Toronto does not have statistics about its residents by immigration category. Compared to the United States, much less is known about the size, demographic characteristics, and residence of the population of illegalized migrants. Finally, I do not define precarious immigration status by formal immigration status per se, but rather as a sense of oneself as experiencing precarity due to immigration status. Therefore, the availability of statistics about the formal immigration status of Toronto residents would be useful, but it would not necessarily provide demographic data about people with precarious immigration status in Toronto.

What I present are not generalizable results, but rather a phenomenology of a marginal experience. Exploring convergences and divergences among participants shows that there is no 'typical narrative' of living with precarious immigration status. The meanings and trajectories are influenced by a host of factors, including human and

social capital, physical and mental health, language abilities, gender, and racialization. People with precarious immigration status experience varying degrees of fear, settlement, fulfillment, personal and professional advancement. Nonetheless, there were areas of significant overlap across participants, even across those with different immigration statuses and migration trajectories. The similarities suggest that a study of precarious immigration status has something to offer. The relatively small number of research participants allowed me to analyze a phenomenon during a distinct period of time in significant depth. The research questions, goals, and findings are appropriate for information gained from purposive sampling and qualitative research with a small sample (Etikan, Musa, and Alkassim 2015; Mason 2010). The dissertation does not claim to capture the full range of emotional and social effects of living with precarious immigration status, but rather to explore the effects experienced by participants in detail. As I discuss below, the experiences of certain people were not captured by this study. In particular, children, people aged 60 and older, people who arrived as sponsored parents and grandparents, people with conditional permanent residence, people applying for permanent status on humanitarian and compassionate grounds, and people actively evading contact with IRCC and CBSA were not captured in this study.

Research in Canada that explicitly includes participation of illegalized migrants is relatively new. My supervisory committee and I drew upon the prior experience of colleagues at York University (as described in Bernhard and Young 2009) to plan how to organize focus groups without risking harm to participants who may were illegalized. As Judith Bernhard and Julie Young explain, during the course of the ethics review for the research projects of their team, the Research Ethics Board (REB) was concerned about

ensuring that participants were not identifiable in stored data or by service providers who helped recruit participants. For this reason, the team did not retain participant names or contact information in any form (e.g. phone numbers associated with codes that are different than codes used in interview transcripts). They used a modified consent procedure and abandoned their original plan to interview participants more than once. The team employed a double-blind recruitment procedure so that no one was in a position to identify participants. These measures were deemed necessary because researchers have, at times, been asked by various law enforcement agencies to reveal names of participants (Bernhard and Young 2009; Lahman et al. 2011), including during a recent high-profile criminal case in Canada (Maclean's 2013).

Working with a similar population of potential participants as Judith Bernhard, Julie Young, and their collaborators, I anticipated the need to employ similarly conservative procedures to minimize risk that confidentiality could be violated. I sought, and was granted, permission from the York University REB to use an oral consent procedure so that consent forms could not be used to identify participants (see Appendix A, C). I designed a double-blind recruitment technique, whereby service providers could hang signs or inform people about the project, but not proactively encourage focus group participation or follow up with potentially interested participants to boost attendance. I planned to set future sessions of the focus groups at regular intervals and locations such that participants could attend in-depth focus groups without me maintaining a list of contact information. Recruiting for focus groups under the heading of precarity, rather than a specific immigration status, would mean that

attendance of a focus group would not imply that a person held a specific status. For example, participation would not imply that a person was in a position of illegalization.

Finally, I designed the research to be what Oliver Bakewell (2008b) has termed policy irrelevant. In my case, I sought to obtain data that would be useless for the purposes of immigration enforcement. Bakewell highlights the epistemological importance of conducting policy irrelevant research, in which policy categories do not figure prominently in the framing of research questions. A study of insecurity that includes participants with different formal immigration statuses rejects policy categories as an analytical frame. Policy irrelevant research offers potential for new insights, as Bakewell argues, but can also protect participants in that participation does not imply deportability or illegalization. Useless data is data that is not likely to attract the interest of officials in an enforcement capacity such that they may want access to it. Furthermore, useless data does not provide enforcement officials with information that could be used in an enforcement capacity were it to be subpoenaed. The purpose of collecting useless data is to protect participants, and people with precarious immigration status in Canada more generally, from being harmed by the research. Others have written about the importance of avoiding particular topics in research with potentially-vulnerable populations (cf Black 2003; Düvell, Triandafyllidou, and Vollmer 2010; Katz 1994). Cindi Katz, for example, notes,

Ethnographic work can (inadvertently) expose sensitive practices of subaltern people to those who (might) use this knowledge to oppress them... M. Milagros Lopez (1992) inspires with her admonition to scholars working with subaltern groups not to render the practices of the oppressed visible to those who

dominate, but to make the operations of capitalism and patriarchy more transparent to the oppressed groups. (1994, 71)

Mindful of Katz' insight, I designed research protocols to collect what may broadly be understood as stories about how people feel about (not) making friends, (not) finding jobs, (not) being able to access essential services, and (not) spending their time in ways they value.

In seeking to gather data useless for the purposes of enforcement, I did not ask questions that would elicit personal information where that information was not central to the research questions and analysis. This is particularly important where that information could be used in an enforcement capacity, either against a participant or against other newcomers. For example, I did not ask about methods of entering Canada, reasons for applying for refugee status, means of avoiding detection by CBSA, or instances of accessing social goods to which participants were barred from receiving. I designed the research questions such that I did not need to know participants' specific immigration status, and therefore I did not plan to collect data about formal immigration status. Protocols also did not ask participants to name specific services they use.

With these procedures in place, my application for ethics approval proceeded smoothly. The REB requested some additional information and minor changes to consent forms, but I was granted permission to move forward with the research in the ways I had planned.

### ***Room to Manoeuvre: Taking Recruitment Plans to "the Field"***

Geraldine Pratt's description of fieldwork aptly encapsulates my experience: "[W]e outlined a smooth research trajectory...first I would interview twenty nanny

agencies, then sixty nannies, and then twenty employers. The actual research process was a much livelier, halting one” (2000, 639). Although in the end I recruited 24 participants along with 15 people in service provision, policy, and activist roles, research recruitment was indeed a lively and halting process.

As it transpired, the layers of protections I put in place to ensure I could maintain confidentiality also had significant implications for how I could or could not recruit people to participate in the research. I discovered that I had left myself little room to manoeuvre in recruiting participants. Confronting and overcoming barriers to recruitment while maintaining ethical and confidential research became a key challenge in implementing my research plans. Successful recruitment, then, required not only persistence, but also a willingness to be flexible (Billo and Hiemstra 2013).

My experience with fieldwork was configured in part by my own social and professional networks. While I had good contacts for research into precarity in several cities outside Canada, my Toronto life until the point of fieldwork had been more focused on the demands of the PhD program than on networking. Thus, the early phases of fieldwork involved cold calls and their e-mail equivalent, along with all the anxieties that cold contacting provoke. As a start, I sought to interview organizers, service providers, and City officials. The interviews were intended to serve a dual purpose: collecting data while familiarizing people with the project so they could be enlisted to support recruitment of participants with lived experience of precarity. I had hoped that the intrinsic value of my research questions would motivate service providers to participate. However, that did not seem to actually happen. Some attempts to reach people and organizations worked, while others never got back to me in spite of my

persistence. In reviewing my recruitment results, I had the most success with organizations where I knew someone or got someone to introduce me, with organizations that had a mandate to educate or interface with the public, and with individuals who were not frequently targeted for requests like mine.

During interviews, I let people know that I would be asking for their help with recruitment. I hoped that hanging flyers and asking them to give flyers directly to individuals would help me collect enough people for a focus group. However, service providers indicated I could expect to recruit only two or three people through their referrals. This raised a timing problem. It would take time for service providers to inform enough potential participants to run a focus group, by which time the first people referred might have forgotten and could not be contacted to be reminded. It was quickly apparent that the double-blind recruitment and an avoidance of storing contact information for potential participants made it almost impossible to gather a critical mass of people for the planned focus groups.

A few representatives of organizations did offer ways forward—“Come to this event and meet a few people;” or, “Stop by next week. Someone will be here who you might want to talk to.” I proceeded with this strategy, conducting *ad hoc* interviews with a few people here and there so as not to lose the chance to talk to them while I tried to figure out how to organize a focus group. As time passed and viable methods of ethical focus recruitment did not emerge, I accepted that interviews, rather than focus groups, would be the method *de rigueur*. I collapsed themes from the focus groups into an interview schedule and eliminated a group mapping exercise I had planned (discussed further below) and carried on with interviews (see Appendix D).

Having made the decision to conduct interviews rather than focus groups, I redoubled my recruitment efforts with a renewed sense of purpose. But again, if I wanted to make sure those in the position of spreading the word about my research did not know who I talked to, I needed a way to arrange the logistics without using the contact person as a go-between. When my first ethics approval expired, I filed the paperwork to extend. At that time, I requested permission to provide a phone number that potential participants could call to arrange a meeting with me. Much to my surprise, the REB granted permission without question. Suddenly, recruitment became a lot easier. With the new recruitment procedure, the burden on gatekeepers was smaller—merely to pass my phone number on to a few people for interviews and let the potential participants do the rest. I gradually expanded who I asked to spread the word: those that I had interviewed before, but also friends, university colleagues, and anyone I could think of who might know a large number of people with precarious immigration status. Sure enough, like a cartoon snowball rolling down a mountain, recruitment gathered momentum and the number of potential participants grew steadily. After months of trying to schedule interviews but conducting few, I had several each week. At the same time, the policy context was evolving quite rapidly. A new federal government was elected, and it began rolling out changes to immigration laws, particularly family sponsorship, citizenship, and some work visas. I needed to balance the imperative to recruit more participants with the imperative to examine people’s experiences during a period in time with a shared policy and reception context.

It was difficult to predict which contacts or recruitment strategies would be most fruitful. Some of the service providers best connected to the issue helped get the word

out, leading to two or three productive interviews. Others who seemed promising did not help me reach anyone. For example, I spoke at length to a woman at a networking event. Although I initially wanted to speak to her about her own lived experience, she seemed more interested in helping me arrange a focus group at her organization. That woman responded to my first e-mail and then never responded again. A surprising number of people got in touch with me because they had heard about the research through a mutual friend, rather than through a service provider. Shortly before finishing fieldwork, a woman I had never met contacted me. Passionate about the challenges faced by live-in caregivers, including herself, she volunteered to arrange a location and gather a group of women so I could hear what they had to say. In the end, only after I had given up on focus groups as a method of data collection, did I lead a one-off focus group, thanks to the interest and goodwill of someone whom I had never before met. Of the 18 participants included in the study, I recruited five through service providers and 13 through a more *ad hoc* strategy of getting the word out via social media and personal contacts, made possible by providing a phone number to arrange interviews.

Interviews typically lasted between an hour and 90 minutes. I followed participants' line of conversation and asked follow-up questions rather than relying heavily on the interview guide to structure the gathering of data. Given the switch from focus groups to interviews, I abandoned the original plan to do a group mapping exercise to record frequently-visited neighbourhoods and transit routes. My intention had been that focus group participants would work together on a map and discuss circulation throughout the city. In using a collectively-made map, individuals' typical daily paths would not be identifiable. However, individual maps constitute potentially

useful data for CBSA or other enforcement officials. Thus I chose not to proceed (Coddington 2017) with the mapping exercise in interviews to protect participants and their data. In spite of the change from focus groups to interviews, I proceeded with my plans to conduct a photo elicitation exercise in which participants created visual material and the discussed that material with me (Bignante 2010). During interviews I asked participants to identify things they needed to be satisfied with their life in Canada. I then asked participants to chart their satisfaction with their life in Canada since arrival, and further asked them to chart their satisfaction over time with each element they had named as important to them. During or after charting satisfaction, participants described the trends and changes reflected on the chart. Some of the charts appear in Chapter 5 of the dissertation.

### ***Recruitment Results***

Research findings are driven in large part by sampling. An unrepresentative sample or a poor fit between characteristics of sample and the purpose of the research will undermine the validity of the results. Researchers need to take strengths and limitations of the sample into consideration both in the recruitment and analysis phase of research. For this research, the purpose of recruitment was to capture a diversity of experiences rather than to identify a common trend and make generalizable conclusions. Much as there is no single trajectory for immigrant incorporation, there is no single narrative of how precarious immigration status affects the settlement process (Goldring and Landolt 2013; Menjívar 2006; Portes and Rumbaut 2001). While some experiences may be shared, they can also diverge quite significantly. Thus, the purpose of the research was to identify and analyze the divergences and convergences.

Therefore, I used recruitment techniques to include participants with different formal immigration statuses and countries of origin. Table 1 reflects some of the diversity captured in the research.

**Table 1: Select Demographic Characteristics of Participants**

Interviews	11
•Men	7
•Women	4
Focus Group	1
•Women	7
Partner in Canada	7
Identify as gay	2
Have children	7
•In Canada	3
•Abroad	4
Arrival year, range	2005-2014
Arrival year, median	2012
Countries of origin: Bosnia, China, Colombia, Iraq, Jamaica, Mexico, Philippines, Rwanda, Sri Lanka, United Kingdom, Venezuela	

My sample skews towards young participants, mostly single or in early stages of a long-term relationship and mostly without children. The majority of interviewees were in their early to mid-20s, with three in their early to mid-30s. The women who attended the focus group, all of whom had entered Canada as part of the LIC program, were more diverse than the interviewees in terms of age, ranging roughly from mid-20s to mid-50s. Some of them had children in Canada, some had children in the Philippines, and some had children in both places. Although this is not a study of life course, stage in the life course can affect people’s expectations and hopes, as well as how people engage with their past, present, and future (Katz and Monk 1993). It was moving to hear people in their early 20s use phrases like “I lost my life [to being stuck with precarious

immigration status],” suggesting that people felt that what happened in their future would not be able to fill the gaps they experienced during years they saw as formative.

For reasons relating to ethics and the production of data useless for the purposes of immigration enforcement, I did not ask people to divulge their formal immigration status. In practice, however, many participants made their current formal immigration status and their longer status trajectory clear. In spite of a focus drawing attention to commonalities across formal immigration status, it is useful to the reader to get a sense of the immigration trajectories that were captured by or excluded from this research project. Table 2, below, reflects participants’ current and former statuses. It is common in Canada for migrants to move between formal immigration statuses (Goldring and Landolt 2013), and this trend was reflected in my sample. For this reason, many people appear more than once on the chart, e.g. a refugee claimant in the legacy backlog may have been a past international student.

**Table 2: Participants by Immigration Trajectory**

No ongoing contact with IRCC	0
Experience as an international student	7
•Current international student	1
•Former international student	3
•Aspired to study when granted PR/refugee status	4
•International student in Canada	4
•International student in USA	3
Holds or has held a work permit	10
•Experience as live-in caregivers	7
•Experience as a post-study work permit holder	2
•Application for post-study work permit pending	1
No permission to work at time of meeting	3
Application for permanent residence pending	6
•Sponsored for permanent residence by partner	2
•Stated preference not to gain PR through partner	5
•PR through work or study	4
Just received letter approving permanent residence	2
Legacy case	4

For the purposes of evaluating the claims made in the subsequent dissertation, it is important to point out that none of the participants were evading detection by CBSA. Although one had fallen out of status, she had an application for permanent residence pending, meaning that IRCC was aware of her presence in Canada and knew her current address. While I spoke to service providers who had service users who were illegalized and out of contact with IRCC, I did not push service providers to specifically recruit people in this position. Although I had built in layers of protection for the benefit of illegalized people, I did not want to exacerbate feelings of vulnerability about confidentiality and immediate safety. Illegalized people were welcome to participate if interested, and I believe my efforts to protect them would have been effective. Without an active interest in participation, I did not think the potential research outcomes

merited contributing to their sense of vulnerability and fear. Thus, I refused to proceed (Coddington 2017) with pushing recruitment of this specific population. My own refusal reflects a decision I made in the context of this project, rather than a stance that no research ought to recruit among illegalized migrants.

It is difficult to know how the research findings would have been different had recruitment efforts yielded participants evading contact with CBSA or subject to a deportation order. Reviewing transcripts, I was struck by the consistency of language about feelings about uncertainty, insecurity, and waiting across participants. Those who felt relatively confident that their applications for permanent residence would be approved denounced their positions strenuously—perhaps even more than the participants awaiting a decision on their refugee claims, even though the success of a refugee claim is hard to predict. However, it is possible that illegalized people, had they participated, would have expressed anguish and uncertainty of another magnitude. One of the service providers interviewed seemed to think so. In the context of accessibility of services, AG said, “There’s a huge gap between someone who is a farmworker who is considered to have precarious status yet has access to health care. To somebody who went underground who has nothing. It’s a huge gap. You can’t put them in the same category, I think.” Yet later in the interview, AG also told me: “I focus on people who have a deportation order because I believe they have more of a negative impact of precariousness. But I’ve seen the fear and powerlessness in other precarious status, like refugee claimants. Even people married to Canadians and processing, a sense of powerlessness.” The contradictions in her statements show that the relationship between illegalization, fear, and vulnerability is complex. I acknowledge that my analysis

and results may have differed had illegalized migrants been included. Nonetheless, the findings provide valuable new information about the spatio-temporal dynamics of precarious immigration status.

### ***A Partial Account of Embodied Ethnographic Research***

Feminist scholars argue that knowledge is partial and situated. They show that knowledge derives from a subjective view from somewhere (England 1994; Haraway 1988; Kusek and Smiley 2014; Rose 1997). Within the context of ethnographic research, this means that interviews are an opportunity to co-produce knowledge with participants. This co-production is affected by factors including the priorities of researchers, the information participants divulge, and how the interpersonal relationship between the interviewer and interviewee shapes what the interviewee shares and how they share it (Dyck and McLaren 2004). Feminist scholars urge researchers to think critically about their positionality: to examine their own role in the research and how to incorporate an examination of their role into data analysis and the subsequent production of knowledge (Rose 1997). This has given rise to debates about what it means to be an insider/outsider to the research questions and how to deploy positionality effectively in research (Billo and Hiemstra 2013; Chacko 2004; DeLyser 2001; Gilbert 1994; Kusek and Smiley 2014). In this section, I provide my account of how I approached meetings with participants, why I did so, and how my positionality may have affected the narratives elicited in those meetings. I examine several aspects of my positionality. Conventionally, positionality includes an examination of locations within various axes of power and privilege—in the case of this research, my nationality, immigration status, education, and class seem particularly salient. In addition, I include

analysis of how my emotional, embodied self, my personal comfort and cultural scripts, are presented and received by participants in multiple and contradictory ways (Billo and Hiemstra 2013; Kusek and Smiley 2014). I also pay particular attention to the uneven distribution of benefits of taking part in research, in which it is in my personal and professional interest to elicit more specific information that allows me to publish more interesting analysis and results.

Inherent in encounters with research participants in qualitative research are tensions. I am particularly interested in the tensions related to the nature of the “ask” to participate in research and how this shapes the dis/comforts of the researcher and participant during their encounter(s). Many qualitative methods of data collection—ethnographic research, interviews, and focus groups—are important because they privilege experiential knowledge about social processes and operations of power (Gilbert 1994; Taha 2018). However, these methods are also exploitative in that the researcher benefits more by encouraging participants to be forthcoming. By contrast, participants enjoy limited benefits from their participation and may face risks for taking part. Despite awareness of the tensions, there remains as of yet no clear and widely-applicable resolution (Coddington 2017; L. T. Smith 2012; Sylvestre et al. 2017).

In meeting with people for interviews and focus groups, I was asking both for their time and for them to share with me their experiential, embodied knowledge. In exchange, I had little to offer. For those I interviewed about their professional experience, I expressed willingness to feed back research results in a way they might find useful. Few people took me up on my offer. Only two agencies asked for results provided to them. People who were interviewed about the ways they are impacted by

their own immigration status were given a small honorarium, a tradition that seems to reflect a monetization of time that can be compensated transactionally. Aside from compensating people for their time, there is, to my knowledge, no compensation that can appropriately thank someone for discussing intimate and potentially painful details of one's life for the benefit of someone else.

Thus there is something socially awkward about the research encounter—two strangers holding a rather one-sided conversation in which the intimate revelations come from one party, and the other party benefits. Because each party plays a 'role' in the meeting, with me asking and participants answering questions, the data is co-constituted, but not equally so. I found myself conscious of this dynamic, particularly in the first few minutes of the interview. I presume my interlocutors were at times also conscious of the uneven exchange of personal information and the awkwardness it entails. I attempted to compensate for this awkwardness by taking on the role I felt most comfortable playing—emphasizing myself as a student. I came to meetings dressed casually, usually in jeans and a simple top, and carrying a backpack. I began by unpacking the trappings emblematic of student life: a notebook, pens, and papers.

I felt comfortable in the role of student for a few reasons. Firstly, I recalled doing the same in my time as an MA student conducting qualitative research, also with immigrants, many of whom held precarious immigration status. At that time, I observed that participants placed a high value on education. I have never during interviews been asked to explain why I bother studying or what the benefits of studying are. People seemed to understand that education is important and were willing to support me working towards my education. Furthermore, I made a strategic choice to play up my

identity as student to impart the (accurate) impression that I am not in a position to right systemic wrongs or advise on individual immigration applications. Other scholars have noted the challenge of transparent consent, being convincing in statements that the researcher cannot actually help the participant. On the other hand, playing the role of a student with low status and influence also has the effect of minimizing my power to represent participants and their lives in the way of my own choosing. It also skirts the issue of how I stand to benefit professionally if I am accorded prestige based upon my research and analysis.

In order to put participants at ease, I made an effort to be open about my personal and school life. Some participants asked questions about me, but I also sometimes volunteered information during conversations. I rationalized that occasional interjections would let participants know when they touched upon a subject that was personal to me. By knowing how and why I related to a particular subject, participants could evaluate what to share with a person in my position. Other scholars have noted that participants are curious about researchers. For example, Kusek and Smiley wrote that “[Weronika] was pleasantly surprised to learn that these migrants wanted to hear about her own experiences in the USA. She soon realized that if she wanted to gain information about their lives she had to share an equal amount of details about her own life” (2014, 157). Sharing information makes the interview more conversational—more natural and comfortable. In smoothing the conversation, it might put participants more at ease and increase their comfort with being more forthcoming. The more forthcoming I am, the more at ease I feel, and presumably participants feel similarly at ease. Yet making participants more comfortable through creating a conversational atmosphere

also shifts the terrain upon which participants base their decisions on when to be more or less forthcoming. While it would be unethical to purposefully make research encounters abrupt, socially awkward, and uncomfortable, there is also something exploitative about making them more comfortable. The participant enjoys the conversation and leaves feeling positive about it, but the researcher leaves with richer data, a dilemma I never felt I had adequately addressed.

I find it difficult to position myself as either an insider or outsider in the research. While I share many characteristics with many of my participants, there are also important differences. I came to university on an international student visa and was granted permanent residence about a year before I began my fieldwork. Before moving to Canada, I had lived in other countries where I had held temporary status. These life experiences have, in fact, shaped how I define and use the term precarious immigration status. The term was coined and is frequently used to encapsulate all people without permanent residence or citizenship (Goldring and Landolt 2013). However, even though I have lived in three countries with temporary visas, I don't consider myself to be a person with experience as having held precarious immigration status. Most recently, in Canada I enjoyed layers of privilege that allowed me, despite my formal immigration status as an international student, to be confident that I would eventually be eligible for permanent residence. I had a stronger sense of myself as having precarious immigration status when I lived in the UK. While there, I made major life decisions in which the intersections between life course and immigration status were primary considerations. Yet even then, I knew many who felt more precarious than I did.

On the other hand, I, like the participants in this research, know what it means to navigate Toronto as a newcomer: to be confused, disoriented, and without strong local relationships to ease a difficult day. One participant expressed relief when I told her that I had found it difficult to form strong friendships here. I explained my observations about what I thought was distinct about forming friendships in Toronto. She had thought she was the only one who experienced difficulties making close friends, and she was interested to hear about the perspective of another newcomer. Another participant and I had some similar experiences with migration for the purposes of education. We had attended the same university, and both of us had sought to use university to leverage permanent status in Canada. We had an immediate rapport, chatting about things we had in common. Yet compared to me, more was at stake for him, and he would have faced greater changes in life if he were not ultimately permitted to settle in Canada.

The above highlights how, despite some similarities, my experience is also distinct from that of many of my research participants. As I have migrated, I have continued to enjoy privilege as a person racialized as white living in countries with majority white populations and where white people hold a disproportionately large amount of political power. I have usually been a native speaker of the local language, or at least fluent in the language where I lived. I can access higher education, a privilege withheld from many of participants, several of whom very much desired to enroll in a Canadian university. I enjoy a high level of financial stability because even though I am not highly paid as a student, I have a partner in a stable full-time job. While I share many personal experiences with participants, the severity and relative meaning of those experiences varies by degree. In sharing some personal information with participants, I

hoped they would be able to evaluate for themselves the extent to which they see me and speak to me as an insider and choose how to speak to me accordingly.

These ways in which my social location differs from that of participants suggest that, as Melissa Gilbert (1994) points out in the context of being a woman interviewing women, being an immigrant interviewing immigrants does not necessarily make me an insider. Furthermore, the way insider/outsider status affects research is unclear. Kusek and Smiley explain,

The commonality of ethnicity, nationality, religion, or language can certainly help to build a sense of community and camaraderie between the researcher and her respondents and enhance the mutual trust during the interview process. Yet, in some cases, these same attributes may become an obstacle to the development of a reliable, true picture of migrants' experiences. (2014, 158)

Researchers cannot know what information participants chose to omit or how interpersonal dynamics tailored how participants spoke about their life experiences. What I can say is that I had a sense of participants as being forthcoming—sometimes surprisingly so—particularly in interviews. Throughout interviews, participants provided more or less detail, became more or less animated, and expressed emotions that I took to be genuine.

Some participants seemed to enjoy digging within themselves to answer questions. The process gave them time-space in which to recognize explicitly views and practices that may have been formed implicitly. One participant called me several weeks after the first interview to say her circumstances had changed, and she wondered if we should meet again. The change in circumstances was precipitated in part by a change in

how she and her significant other envisioned the future of their relationship. Decisions he shared with her about his plans had caused her to reconsider what she wanted in the medium-term future, including how long she wanted to remain in Canada. In our subsequent meeting, I sensed that she wanted to talk through what was on her mind with a person who was not personally implicated in the decisions at hand. Several participants were eager to ask at the end of interviews about my preliminary research findings. Specifically, they wanted to know whether other people had had similar experiences or expressed similar feelings about their experiences. It did not surprise me that some people wanted to hear about other interviews, since a number of participants told me during the interview that they did not talk about their immigration status with their local friends. Some had very few friends who had precarious immigration status, and therefore those people could not reflect on common experiences together with friends. To hear preliminary findings offered a way to experience camaraderie, even if removed from the person with whom they shared something in common. The interest participants expressed in hearing about the experiences of others deepened my sense that an in-depth focus group would have been a valuable research method, even if it was ultimately unworkable within the scope of this particular project.

Each participant found their own way to convey the challenges and pain associated with immigration status. People told their stories in different modes. Some spoke about evocative topics dispassionately, naming and describing pain without reliving that pain in the telling. I was prepared for this way of talking about difficult life events. In my previous employment providing advice and advocacy to migrants, many of whom had been refused asylum or were otherwise undocumented, I conducted

hundreds of assessment interviews with migrants. I became acquainted with a particular mode people adopt to relate emotional experiences as a means to an end—not for the purpose of acknowledging or working through the emotions, but to make someone else know and understand what happened for a specific, tangible purpose. The result is the potential for a mismatch between people’s words and their tone of voice or facial expression. One participant spoke softly and calmly throughout the interview. All the while, he fiddled repeatedly with a beaded bracelet. Not only did I notice his partial diversion of energy during the interview, but I could hear the beads clacking on the audio file as I transcribed the interview. This participant followed up some of his most difficult stories or statements by flashing a smile or chuckling lightly. It struck me because smiling and fiddling is precisely the strategy I could imagine myself using if I were being interviewed about a personal and painful subject. Several participants followed up dispassionately-made remarks about the depth of their pain with some variation of, “That’s why I go to therapy.” These comments conveyed something beyond tone: a desire to make clear to me how deeply they were affected by their experiences, even if the pain was not reflected in their tone of voice or facial expression. While most participants spoke in this more dispassionate way, a few took our time together as an opportunity to do the opposite—to dwell on frustrations and bitterness for which they otherwise have an insufficient outlet. These participants showed a greater match between words, tone, and body language. They sounded bitter when they described themselves as feeling bitter, rather than speaking lightly of their bitterness.

Whether a passionate or dispassionate telling of challenges, I was struck by how directly participants linked their difficulties to their immigration status. I took their

linking of issues as a sign that my research focus is relevant, not only theoretically, but also because it is pertinent—arising from current trends that migrants themselves perceive as impactful, connecting social structures and daily life (Staeheli and Mitchell 2005). The engagement of participants in the research questions speaks to a concern that a York professor raised when I was in the early stages of fieldwork. We were chatting casually about recruitment: who I would talk to and how I would ever find research participants. She asked if I was worried about research fatigue among potential participants, particularly if I was relying on recruitment through service providers. I admitted that I had not considered research fatigue. Throughout my fieldwork, I replayed her question to myself. I did not ask participants if they had done other personal interviews for the purpose of research or if they felt over-researched. One participant mentioned unprompted that he had been interviewed by another researcher, and a second one indicated speaking publicly about his experiences in an advocacy setting. However, I interpreted participants to be honest, forthcoming, and engaged in the research topic. I did not get the sense that my questions were bringing them over tired ground or experiences to which they ascribed little meaning. Rather, I took participants' words and affects as a signal that I was asking questions that they believed were important and worth speaking about.

### ***Politics of Representation: Visibility, Authenticity, and Confidentiality***

In this final section of the chapter, I examine the politics of representation in writing about precarious immigration status. As I analyzed data and wrote up my findings, I held the power to decide what issues to bring to the foreground, which ones to set aside, and how to characterize the experiences people shared with me. While I am

likely not in a strong position to influence policies relating to immigration to Canada, once findings are published, they may be interpreted or used in ways I did not anticipate (Rose 1997). This underscores my responsibility to protect participants, but also the group to which participants belong—in this case, people in Canada with precarious immigration status (Düvell, Triandafyllidou, and Vollmer 2010). I wanted to write something that would resonate with participants if they were to read it, and something that would not be used to deepen marginalization of migrants. I also needed to write a dissertation that conformed to scholarly conventions of providing sufficient analysis to constitute new knowledge. While these imperatives are not necessarily conflicting, they do mean that researchers are navigating multiple demands that could at times conflict. In this section, I position myself within scholarly discussions about three important issues related to the politics of representation: increasing the visibility of precarious immigration status, representing people with precarious immigration status in a way that is both authentic but shows original analysis, and writing about people while maintaining their confidentiality.

Visibility arises largely from research dissemination, but it is rooted in decisions early in a research project about what to make visible. I understood from the outset that it would be challenging to conduct ethical research among people with precarious immigration status. While I was concerned about conducting ethical research, I was simultaneously concerned about the ethics of *not* conducting research simply because it would be challenging to do so. Richa Nagar (2002) argues that avoidance of sensitive research is not an appropriate strategy to displace concerns about the politics of representation:

feminist social scientists located in the 'Western'/'Northern' academy cannot choose to remain silent on marginalized women's struggles concerning sensitive issues such as domestic violence in the so-called Third-World simply because there is a messy politics of power and representation involved in the fieldwork encounter. Rather, they should accept the challenge of figuring out how to productively engage with and participate in mutually beneficial knowledge production about those struggles. (2002, 181)

In her work, Nagar employs methods including participatory action research and member checking to support the accountable production of knowledge. Drawing on the work of Grace Cho (2008), Nancy Hiemstra writes that "perceived silences, containment, and invisibility of phenomena need not and should not be easily accepted by researchers, for 'not seeing is not done innocently'" (2017, 330). My project was motivated by a desire to increase attention to what we as a society tolerate when we tolerate policies that produce precarious immigration status. The research questions were developed based on my professional experience working with people marginalized by their formal immigration status. I felt the research questions were important not because I wanted to push an exciting theoretical strand, but because they reflected profound concerns of migrants I knew. These concerns were further important because they related to oft-unseen effects of policies that politicians or the general public may not intuit even as immigration policy is increasingly drawn into the spotlight. As I have written above, my fieldwork affirmed the sense that my research questions resonated for people living with precarious immigration status.

At the same time, I acknowledge that research is steeped in power relations. Both the process of research and the knowledge produced from research have done real violence to marginalized communities. Ultimately, scholars must reach their own conclusions in the context of their own research: the risks involved, researchers' on-the-ground sense of the extent to which participation is burdensome to potential participants. While Tracey Skelton (2008) is concerned about what is lost when children's voices are left out, Kate Coddington (2017) ultimately decided to change aspects of her research questions and methodology to decrease reliance on interviews. Coddington notes, "I spent months sitting with the twin desires to push for more interviews with individual Aboriginal community leaders and my growing doubts about the necessity and desirability of demanding the time, energy, and voice of exhausted people" (2017, 318). I sought to minimize the potential violence of research through conservative recruitment strategies, layers of protection to maintain confidentiality, refusal to push particular research strategies when I felt the risks outweighed the benefits (Coddington 2017; Louis 2007; Skelton 2008), and the production of knowledge that would not be the interest of enforcement agencies, all of which I have discussed throughout the chapter.

During data analysis and the writing of the dissertation, I also faced questions about how to present precarious immigration status and the individuals who participated. I often find myself favouring research where the people affected by a phenomenon are taken as experts on that phenomenon (cf Taha 2018) and the author shares with the reader some of what participants say. It is unsurprising, then, that I chose to understand precarious immigration status by speaking to migrants themselves,

and that I draw less from interviews with organizers, policymakers, and service providers. Giving voice to participants has been at times employed to reduce risks of appropriation (Coddington 2017). However, researchers still use or withhold particular quotes, and they frame them in ways to which the participants may object. The following question, asked by a potential participant in the early phases of a research project with indigenous people in Canada, succinctly captures the violence of being wrongly portrayed: "Is the information, is the product, is the outcome [of the research], is it authentically based in our understandings or is it something that you have warped beyond belief so that we can't even recognize ourselves anymore?" (Sylvestre et al. 2017, 761). While I include extensive quotes in the substantive chapters of the dissertation, letting participants speak to the readers, I tried to ensure that the quotes used and analytical framing reflect both dominant and counter-narratives that emerged during the research.

Some researchers use member checking to get participants' confirmation about the representations they plan, called member checking. However, member checking cannot overcome potential issues with representation (England 1994; Nagar 2002). Furthermore, I could not use this as a strategy because I do not have participants' confirmation. Ultimately, the ways I represent people with precarious immigration status are a result of my own judgment, and I have tried to serve participants well.

Finally, I wish to return to the issue of confidentiality. I have written at length above about how I protected confidentiality and immigration status in double-blind recruitment, oral consent, and pseudonyms, among other measures. Confidentiality became important again as I began inserting quotes from transcriptions into the

substantive chapters. I quickly realized that using long quotes from multiple sections of a single person's interview could reveal the identity of that person to those who knew them. This potential for identification is called deductive disclosure or internal identification (Kaiser 2009; B. Saunders, Kitzinger, and Kitzinger 2015). Not all research projects risk deductive disclosure. Research with wide recruitment criteria, in which a large part of the population could fit the criteria, makes deductive disclosure unlikely. Within the context of precarious immigration status in Toronto, numbers of potential participants are hard to estimate. However, narratives of precarious immigration status can be fairly specific and unique. Including details about people provides the reader with a richer sense of participants as multi-faceted and dynamic individuals, but those same details about public speaking, personal interests, or habits make participants potentially identifiable to those that know them. Furthermore, since some participants heard about the research through service providers and some service providers read scholarship about precarious immigration status, I felt participants recruited that way could be more easily recognized. While the service provider might already know about the hobby or public speaking that made the participant identifiable, there could be other elements of the interview that I included that the service provider did not already know.

I feel strongly about minimizing the possibilities of deductive disclosure because confidentiality was such a mainstay of my plans for ethical research. My position on the issue is also influenced by my own experience. A professor I know in my personal life once recognized me when she read a study based on online surveys among graduates of the undergraduate institution that I had attended. The study made the usual promises of anonymity. Certainly, when I typed my responses, I felt anonymous. But when the

professor called me to ask follow-up questions about my responses and express her concerns about what I had said, I realized that I should have been more careful about including details that could be identifying. I imagine that, like me, my participants did not carefully self-edit each response to ensure their anonymity, even to those who knew them.

It is my responsibility to portray participants as the thoughtful, dynamic people they are. It is also my responsibility to maintain participants' anonymity. Therefore, I needed a way to prevent deductive disclosure while being able to quote individuals extensively on a variety of topics. I concluded the best way to do this would be to assign some participants multiple pseudonyms. I am not the first to use this strategy (cf B. Saunders, Kitzienger, and Kitzienger 2015). As much as possible, I kept pseudonyms consistent throughout the dissertation. However, I identified quotes that included very specific and fairly individual information and assigned different pseudonyms to those quotes.

The ways I navigated challenges related to the politics of representation remain imperfect. While I have taken time to consider the limitations of my research and how to write something meaningful that will not cause harm to people with precarious immigration status, it remains true that I cannot anticipate the effects of publishing my findings. In documenting how I made those decisions, however, future researchers, including a future version of myself, will be able reflect upon the extent to which they were sufficient and successful.

## ***Conclusion***

I have argued that ethical research with marginalized populations such as people with precarious immigration status is difficult. The requirements to gain permission from REBs to conduct such research are unclear. While recruitment is often a challenge, people with precarious immigration status may feel even less motivated to participate: nervous about the publication of their experiences or unwilling to talk about such private struggles with a researcher. There is a risk that enforcement officials may seek to access data. I devised a conservative recruitment strategy to provide multiple forms of protection to potential participants, but in the field I found that I had left myself little room to manoeuvre and recruitment was nearly impossible. By switching from focus groups to interviews and gaining permission to give out a phone number, recruitment became more successful. I was able to implement these changes while leaving other forms of protection in place, such that I could pursue research questions I believed were important and do so in an ethical manner. Ultimately, I recruited participants with a wide range of migration and settlement experiences and countries of origin. This achieved my aim of including a diverse range of experiences of precarious immigration status. The three substantive chapters that follow reflect arguments that deepen scholarly understandings of immigration status generally and precarious immigration status specifically. I have endeavoured to push forward theoretical and empirical knowledge while staying true to the stories participants shared with me about their own struggles, hopes, and ways of working towards what they understand to be a livable life (Butler 2004b).

## **Chapter Three: Situating Precarious Immigration Status in Toronto, Canada: The Landscape of Service Provision and Policy**

The study of precarious immigration status in Canada is important because of a paradigmatic shift in Canadian immigration policy that increasingly produces precarity among newcomers (Goldring and Landolt 2013; Macklin 2014a). I use the term precarity within the study of immigration to refer to an individual's sense of insecurity that derives from conditions associated with one's immigration status. These conditions may include temporary authorization to remain or tacit (rather than formal) authorization to remain, deportability, heightened scrutiny and surveillance, uncertainty about the ability to remain in Canada, and limited access to rights and social goods (De Genova 2002; Goldring and Landolt 2013; Vosko, Preston, and Latham 2014). Changes to immigration policy and practices in Canada have increased the numbers of people who hold precarious immigration status. They have also increased the amount of time people hold temporary status that may be experienced as precarious—longer processing times, changes in eligibility that lengthen the pathways to permanent residence and citizenship, and several rules (that were recently repealed) that made family sponsorship either temporary or conditional and thereby less secure. Hari argues that trends across immigration policy

have increased the occurrence and persistence of temporariness for specific groups of migrants in Canada, contributing to the systematic exclusion of these growing numbers of non-citizens, who live and work in the territory, from a wide range of rights (including permanent status and/or citizenship, work, access to provincial workplace standards, and social assistance). (2014, 36)

The rise in precarity has been gradual and piecemeal, rather than deriving from a single piece of legislation or the work of a single political party. The production of conditions that contribute to precarity plays out across a spectrum of visa categories, from students to workers, sponsored family members and people in need of humanitarian protection.

As a settler colony, Canada has long defined itself as a country of immigration, whereby migrants are welcomed as potential citizens and integral to nation building. Unsurprisingly, then, permanent migration has long been a cornerstone of Canadian immigration policy (Valiani 2013). Policymakers draw upon their aspirations for the nation to determine who can migrate to Canada. Until the 1970s, this meant privileging whiteness and discouraging or outlawing migration of people of colour (Wayland 1997). Vestiges of racism remain in Canada's immigration policy outcomes. Racialized people are disproportionately recruited for jobs in low-paying employment sectors such as agricultural work or care work, for which they receive temporary visas and often cannot bring their family members with them (Hennebry 2012; Larsen 2014; G. Pratt 2004). An emphasis on granting permanent residence to people who are highly educated and whose degrees are recognized in Canada favours people racialized as white (Chatterjee 2015; Fuller and Vosko 2007; Simmons 2010).

Despite an emphasis on permanent migration of potential future citizens, there have long been programs to allow for the temporary admission of workers, such as the Seasonal Agricultural Worker Program that began in 1966 through bilateral agreements with Jamaica, then later with Trinidad and Tobago, Barbados, and Mexico (Hennebry 2012). Temporary foreign worker programs were expanded throughout the 1970s, 80s, and 90s (Alboim 2009; Nakache and Kinoshita 2010; G. Pratt 2004), and that expansion

has accelerated since 2002. Precarity has also been exacerbated by increasing reliance on detention and deportation and a growing budget for enforcement activities (Nyers 2018; A. Pratt 2005; Silverman 2014). These trends have contributed to a rise in enforcement activities, as well as the conscription of local actors in enforcement activities, whether reporting people who might be deportable or denying them services. The result has been an increased production of precarity in Canada across immigration streams in the 21<sup>st</sup> century.

Geographical work on immigration and settlement shows that the experiences of migrants are shaped by the places they live and work (Ray and Preston 2009; H. Smith and Ley 2008). Immigration policy is largely (though not exclusively) determined at the federal level in Canada, and the federal government is also a major funder of settlement services. However, it is important to consider migrant incorporation at the local scale for several reasons. Enforcement occurs not only at the border but also internally, at the local scale—in particular places and at particular times, and for particular people—and is configured by local practices of (non)-cooperation (Fakhrashrafi, Kirk, and Gilbert 2019; Mountz 2010; Ridgley 2008). Services such as health care, education, welfare, housing support, childcare subsidy, and settlement services are delivered by provinces, municipalities, or through cooperation across levels of government (Baglay and Nakache 2013; Leo and August 2009; McGrath and McGrath 2013; H. Smith and Ley 2008), meaning that experiences of welcome and support vary across Canada.

Settlement of newcomers in Canada has long been concentrated in the metropolitan areas of Toronto, Montreal, and Vancouver (Ray and Preston 2009). In Toronto, approximately half of residents were born outside Canada, compared with 20%

of the Canadian population. While it is difficult to obtain statistical data on people with precarious immigration status, evidence from scholars, activists, and service providers suggests that, with the exception of agricultural workers, people with precarious immigration status are even more concentrated in Canada's three largest cities than the newcomer population as a whole (Wright 2003). Cities like Toronto emerge as popular destinations because of the relative concentration of jobs, services, and co-religious or co-ethnic community members. For people with precarious immigration status, diverse cities can also offer a measure of security through the anonymity of urban life, although this security remains uneven.

In this chapter, I elaborate upon the key policies, services, and service gaps that affected research participants' experiences of precarity in Toronto, Canada. The fieldwork for the dissertation was conducted between July 2015 and July 2016. It is beyond the scope of this paper to offer a comprehensive history of recent Canadian immigration and settlement policies, and they are well-documented elsewhere (Alboim 2009; Alboim and Cohl 2012; Atak, Hudson, and Nakache 2017; Leo and August 2009; McGrath and McGrath 2013; Omidvar and Richmond 2003; Simmons 2010; Valiani 2013; Yu, Ouellet, and Warmington 2007). At times I point out policies that have been overturned since my fieldwork, but the description of immigration programs should not be understood as an accurate portrayal of current immigration policies. Rather, I attend to overarching trends, along with specific events and policy changes, which affected participants. For example, I do not discuss changes to applications for permanent residence on the basis of humanitarian and compassionate grounds because none of the research participants had submitted or intended to submit such an application.

To frame the policies included or excluded below, it is worth reviewing which immigration programs people had applied to prior to their participation in the research. All participants had entered Canada at an official border crossing and were permitted entry. All were in regular contact with Immigration, Refugees, and Citizenship Canada (IRCC), who were aware of their current formal immigration status and address. People included in the study either came to Canada to apply for refugee protection or with a temporary visa. Those who entered with temporary visas had obtained the visa on the basis of study or work, either as a live-in caregiver or for a specialized role in a nonprofit organization. Many people had either renewed their visa or applied for a new temporary status once in Canada, particularly using the post-study work visa. At the time of the interview, six participants had submitted an application for permanent residence either on the basis of their work as a live-in caregiver, a relationship to a Canadian citizen, the Express Entry program, or Ontario's provincial nominee program. For more detail on the formal immigration status of participants at the time of their research participation, see Table 3 on Page 81.

I begin with descriptions of relevant federal immigration laws before showing how federal, provincial, and municipal practices work together to create Toronto as a paradoxical space, in which people with precarious immigration status may be treated as belonging or unbelonging. This includes surveillance of people racialized as black and brown; gatekeeping on the basis of immigration status; and denial of services, whether rightly or wrongly, on the basis of immigration status (Fakhrashrafi, Kirk, and Gilbert 2019; Moffette and Gardner 2015; Moffette and Ridgley 2018). It can also mean social inclusion, access to services, and a sense of community. In particular places and at

particular times, people with precarious immigration status may be extended welcome that is not contingent upon immigration status, and those spaces and moments can mitigate exclusion constructed at other scales of governance (Creal 2009; H. Smith and Ley 2008; Wright 2003).

### ***Inland Claims for Refugee Protection***

A number of changes to Canada's refugee regime since the early 2000s have produced increased levels of precarity among refugee claimants. This is captured by the findings of Idil Atak, Graham Hudson, and Delphine Nakache: "The extent and pace of these changes are considered to be 'draconian'... [The refugee system in Canada is] a field of law in flux [marked by] legal uncertainty" (2017, 29). A. Pratt (2005) argues that since the 2001 terrorist attacks against the USA, migrants in general and people claiming refugee protection in particular have been increasingly portrayed as a potential threat. This has manifested in public discourse, but also the adoption of criminal law enforcement strategies into refugee law (Atak, Hudson, and Nakache 2017). Since then, legislative changes have made navigating the refugee determination process more difficult and temporarily reduced refugee claimants' access to health care (Atak, Hudson, and Nakache 2017; Evans et al. 2014; Sheikh et al. 2013).

In 2002, Canada and the United States signed the Safe Third Country Agreement, allowing Canada to deport people claiming refugee status who had entered Canada from the US border back to the US for the processing of their refugee claim. This agreement, now being challenged as unconstitutional, has reduced Canada's obligation to protect refugees. Although there have been numerous small changes to policies and practices regarding inland refugee determination, the most significant piece of recent legislation

is the *Protecting Canada's Immigration System Act* (2012 Reform). The stated goal of the 2012 Reform was to speed processing, reduce the backlog of unprocessed cases, and address concerns around national security and 'abuse' of the refugee system (Atak, Hudson, and Nakache 2017). However, the changes have been criticized for violating the human rights of refugee claimants (Hari 2014). Among other changes, the 2012 Reform introduced mandatory timelines for scheduling hearings and divided refugee claimants into different 'classes,' allowing for the curtailing of rights of people from a Designated Country of Origin (DCO) or deemed to be Designated Foreign Nationals (DFNs).

The timelines introduced in 2012, requiring a hearing within two months of making a refugee claim, are controversial (Atak, Hudson, and Nakache 2017; Canadian Council for Refugees 2012). Long periods of time waiting for a refugee decision have been criticized both in Canada and in refugee systems abroad (cf Brekke 2004; Brighter Futures 2013; Cwerner 2004). However, holding hearings only two months after applying for status leaves little opportunity for claimants to orient themselves to the determination system, seek medical and psychological reports, and gather evidence about country conditions or their persecution (Atak, Hudson, and Nakache 2017). In the case of the 2012 Reform, the mandated processing times also did not function very well. To keep up with the requirement to schedule hearings, cases in the backlog were pushed even further to the back of the processing queue. At the same time, there were not enough resources to conduct full hearings within the mandated timeframe. A director of a refugee support agency, NE, explained, "Hearings are postponed all the time because there's not enough staff and resources to schedule hearings at the rate they're supposed to be. So they get cancelled and postponed." After postponement, it is unclear how long

people will wait for their hearing. The result is that people making claims experience a great deal of stress preparing for their initial hearing, and if postponed, that is followed by the stress of an unknown wait time until the next hearing. Ultimately, the 2012 reform has not consistently delivered shorter and clearer timelines.

The 2012 Reform also saw the advent of a list of DCOs, understood by policymakers to be 'safe' countries. Claimants from DCOs are subject to even shorter timelines, fewer appeal rights, no automatic stay of removal, and delayed access to other pathways to permanent residency such as pre-removal risk assessment and permanent residence through humanitarian and compassionate grounds (Atak, Hudson, and Nakache 2017). The DCO list was particularly problematic because it was informed in part by recent success rates of claims from particular countries. However, a grassroots campaign recently revealed that low success rates from the Czech Republic and Hungary can be explained, in part, by the mishandling of cases of Roma claimants by a small number of corrupt lawyers, rather than unfounded claims for refugee protection (CBC News 2016).

In addition to the 2012 Reform, the Government of Canada instituted dramatic cuts to the Interim Federal Health (IFH) program, which provides health insurance to people who are or were making inland refugee claims, in July 2012. The cuts were overturned in 2014, but in those two years many people struggled to access health care services to which they and previous generations of people claiming refugee status had been entitled. Under the new regulations, people who had made applications for refugee protection were divided into three categories with differential access to health insurance. While government-assisted refugees maintained their levels of insurance

coverage, the coverage of refused refugee claimants and claimants from DCO countries were reduced to almost nothing except in cases of imminent public health risk (Eggertson 2013). Sheikh et al. characterize IFH cuts as follows: “[A] relatively uncomplicated and comprehensive program has been replaced with one that is far more difficult to navigate and that requires additional administrative work on the part of health care facilities receiving refugees as patients” (2013, 605). The IFH cuts resulted in confusion about entitlements and complicated the work of submitting claims for reimbursement, meaning that refugee claimants were, at times, wrongly asked to pay for services up front and claim reimbursement themselves or refused health care altogether.

### ***Spousal Sponsorship***

Family reunification has long been a goal of Canadian immigration policy. Under the current system, a Canadian citizen or permanent resident enjoy privileges to family unity that are not necessarily extended to people who come to Canada to claim refugee status or arrive with a temporary visa (Rajkumar et al. 2012). A person with citizenship or permanent residence over the age of 18 can sponsor certain family members, including their spouse, either same sex or opposite sex, or their common law partner. Processing differs slightly depending on whether the sponsor is Canadian or holds permanent residence, as well as whether the sponsored person lives in Canada or abroad during the sponsorship process. Potential sponsors must show that they can provide for the needs of their spouse, and the application process also requires people to demonstrate that their relationship is genuine.

Policies and practices about spousal sponsorship have had uneven effects on people related to their biological sex and perceived race. More women than men arrive in Canada as sponsored spouses, meaning that conditions associated with sponsorship disproportionately affect women (Côté, Kérisit, and Côté 2001). Furthermore, decisions on spousal sponsorship applications are affected by the race and country of origin of the people involved in the application. People racialized as black or brown have faced increased scrutiny about the validity of their marriages (Toronto Star 2015a).

In 2012, amid claims of problems with marriage fraud, the Conservative government introduced a new formal immigration status, namely conditional permanent residence (CPR). Conditional permanent residence, rather than full permanent residence, was granted to people sponsored by a spouse in the early years of their marriage. Under the new rules, someone with CPR whose relationship broke down within two years of immigrating lost their permanent residence and was expected to leave Canada. Conditional permanent residence therefore induces heightened dependence upon the sponsoring spouse, giving them power over whether a sponsored spouse can remain in Canada. Concerns about conditional permanent residence were frequently raised by service providers during the research. In particular, they expressed concerns about the ways such policies make it more difficult for newcomers to leave an abusive relationship. As KH, who runs a program that supports people experiencing domestic violence, explained, “We are dealing with a lot of marriage breakdown within the two-year timeframe where women are not willing to come out of the marriage because they are so afraid... you know what it’s done, it’s escalated abuse. It’s made women feel more insecure.” Following the 2015 election, the Liberal government

promised to end conditional permanent residence, and in April 2017 it was eliminated (IRCC 2017).

In the context of the subsequent discussion about the rise in two-step migration and migration for the benefit of the Canadian nation, it is worth noting that the proportion of people who enter Canada under the family class declined between 2002 and 2015 as Canada has increasingly emphasized economic migration (Alboim 2015). In addition, wait times for decisions on family sponsorship are much longer than processing times for visas, leading the Canadian Council of Refugees to call for dramatic reforms to the processing of family sponsorship applications (Canadian Council for Refugees 2016; CBC News 2015; CIC News 2016). For people seeking sponsorship while they live in Canada, either on another visa or without status, the long and changing processing times for sponsorship applications have heightened the violence caused by holding precarious immigration status.

### ***The Rise of Two-Step Migration***

Since the 1970s, workers on temporary visas have been recruited to meet local labour shortages in Canada. Early programs included the Seasonal Agricultural Worker Program (SAWP) and the precursors to the current live-in caregiver program (LCP) and caregiver program (CP). Temporary, employer-driven migration to Canada expanded in 1973 with the creation of the Temporary Foreign Worker Program (TFWP). These programs to provide temporary visas for workers who will fill labour market gaps have expanded and are now used by more industries. Beginning in 2006, more newcomers entered Canada with temporary than permanent status (Fudge and MacPhail 2009). As I describe below, the changes in immigration policies have not been accompanied by

equivalent changes in funding for settlement services. Services are still funded mainly for permanent residents rather than for every Canadian resident in need of settlement support.

Along with the expansion of temporary visa programs, new pathways have opened to allow temporary migrants to transition to permanent residence. A large and growing number of people become permanent residents through a two-step process, rather than by entering Canada with permanent residence. Access to pathways to permanent residence from within Canada depends upon province, employment sector, and perceived skill level. In the subsequent section, I discuss various pathways through which people may enter Canada on a temporary visa and subsequently apply for permanent residence before evaluating how the rise in applications for permanent residence from people holding temporary visas contributes to the production of precarious immigration status.

### **International Study**

International tertiary education is a large and competitive industry, with five million international students enrolled in university programs worldwide and that number set to increase in the coming years (Wu and Wilkes 2017). The Government of Canada has played an active role in seeking to recruit and retain international students as part of an economic action plan (Wu and Wilkes 2017). The number of international students studying in Canada has been steadily increasing, and the Government of Canada seeks continued expansion. Canadian universities stand to benefit from the higher tuition paid by international students, but policymakers also believe that international students make ideal future workers and permanent residents in that they

will proficiently speak one of Canada's official languages, hold university degrees, and have Canadian experience (Wu and Wilkes 2017). For their part, international students seek to accumulate cultural capital through international study and may be motivated by a desire to get their foot in the door, either to jobs and permanent residency in Canada or to economic mobility (Waters 2006). However, as Wu and Wilkes (2017) point out, there are problems with the assumption that international students are ideally positioned to contribute to the Canadian economy following graduation. Difficulties adjusting to life in Canada and employer discrimination, among other factors, can limit the economic success of international graduates (Galabuzi 2006; Vosko 2006).

In the case of policies surrounding international study, the most significant recent development has been the numerical increase of students. This increase of student admissions contributes to an overall trend of higher proportions of newcomers arriving with temporary, rather than permanent status. While the conditions of study in Canada may not be more precarious than in past years, factors like lack of access to settlement services, as well as discrimination on the job market and in the workplace in a context in which post-study work may determine access to permanent residence, mean that current and former international students may identify as holding precarious immigration status.

### **Temporary Foreign Work**

The TFWP was designed to attract migrants with highly specialized skills, such as academics, business executives, and engineers, by allowing them to enter Canada on a temporary visa (Nakache and Kinoshita 2010). However, the scope of the TFWP broadened to allow employers to hire guestworkers to fill temporary labour shortages

without specifying job or industry (Citizenship and Immigration Canada 2012). The expanded TFWP offered a way to employ migrant workers who did not have sufficient points to qualify for permanent residence under the Federal Skilled Worker Program, under which points are awarded for educational attainment, occupation, and years of experience (Alboim 2009). As such, it allowed for the migration of individuals who would not have previously qualified to migrate to Canada, but on a temporary, employer-specific visa.

In 2002, the government introduced the Pilot Project for Hiring Foreign Workers in Occupations that Require Lower Levels of Formal Training, more commonly known as the Low-Skill Pilot Project (LSPP) and also increased admissions under other programs to admit foreign workers. The LSPP responded to perceived needs within the oil and gas sectors in the Western provinces, as well as a nation-wide construction boom. The LSPP offers an opportunity to employ foreign workers in low-paid positions in a wider-range of occupational sectors than the SAWP (Nakache and Kinoshita 2010). Migrants entering through the LSPP are granted permission to live and work in Canada for several years. The biggest take-up of the LSPP program has been within agriculture and the food service industry. Interestingly, employers in the agricultural sector can employ migrants under SAWS, LSPP, or both. This flexibility has been shown to create competition between workers, often on the basis of gender, race, or country of origin (Preibisch and Binford 2007). Although public discourse frequently emphasizes the need for and contributions of highly skilled workers, the creation of new routes for the admission of low-paid workers and persistent demand for their labour suggests the value of migrants in low-paid positions.

## Care Work

Canada has long had programs to allow for migration for the purpose of performing domestic and care work. In addition to feminizing care work, constructing women as ideal caregivers, the programs have constructed care work as ideal for racialized minority women from specific places, e.g., the Caribbean and the Philippines (Banerjee et al. 2017; G. Pratt 2004; Spitzer and Torres 2008; Tungohan et al. 2015). Often subject to minor and major changes, the iteration of the program relevant to my fieldwork is the live-in caregiver program (LCP), established in 1992 that recruited women in large numbers from the Philippines (Spitzer and Torres 2008). Under the LCP, people who come to Canada as caregivers can apply for permanent residence after two years, at which time they will become eligible to work in the field of their choice and sponsor family members to join them. As such, the program operates as a kind of probationary period, restricting people's rights for a period of time, after which they are granted more access to employment, services, and robust settlement in Canada.

Changes to the program announced in October 2014 renamed it the Caregiver Program (CP), removed the live-in requirement, and also changed the criteria for permanent residence. Under the CP, people were no longer automatically eligible to apply for permanent residence. Rather, they were subject to language and licensing requirements as well as an annual quota (Banerjee et al. 2017). The CP was closed to new applicants in 2019, although opportunities remain for people currently in Canada on caregiver visas to apply for permanent residence.

The LCP has long been characterized as exploitative, particularly because it is linked to family separation, dependence upon an employer, and residence with the

employer (G. Pratt 2004; Spitzer and Torres 2008; Stasiulis and Bakan 2005; Tungohan et al. 2015). Furthermore, applications for permanent residence by people applying under provisions of the LCP and CP have been subject to backlogs and long wait times (Toronto Star 2015c; 2015b). Changes to the eligibility criteria for permanent residence, long processing times, and difficulties moving into other employment sectors mean many people have struggled to achieve the benefits and citizenship rights they anticipated when they applied for a caregiver visa (Banerjee et al. 2017; Tungohan et al. 2015).

There has been significant organizing in Canada, particularly within the Filipina community, to advocate on behalf of people with live-in caregiver visas. In addition to offering individual support with navigating changes to the program and submitting paperwork, women with experience in the live-in caregiver program have organized publicly to pressure the Canadian government to make substantial changes to improve the live-in caregiver program (Bhuyan et al. 2018; G. Pratt 2004; Stasiulis and Bakan 1997). Recent changes to the LCP have been hailed as organizing victories. At the same time, grassroots groups continue to highlight problems with the changes and their implementation (Caregivers Action Centre 2019b; 2019a).

### **Pathways to Permanent Residence**

In addition to the LCP, CP and spousal sponsorship programs that offer pathways to permanent residence for caregivers and spouses, temporary foreign workers and international students may also gain permanent residence through the Provincial Nominee Programs (PNP) and the Canadian Experience Class Program (CEC) that were introduced after 2000. The Provincial Nominee Programs (PNP), which grant permanent

residence to candidates selected by the provincial governments, were developed to allow provinces to meet their unique demographic and labour market needs and encourage settlement in regions not commonly favoured by immigrants (Nakache and Kinoshita 2010). Though provinces may nominate individuals from outside Canada, the practice has been to largely select existing temporary workers already resident in Canada. PNP programs are rapidly expanding (Alboim 2009). Another program to apply for permanent residence, the Canadian Experience Class (CEC) was introduced in 2008, aimed at skilled workers and international students, under the assumption their Canadian experience would facilitate labour market integration. Both the PNP and CEC have expanded dramatically since their inception. In 1999, approximately 500 individuals were granted permanent residence through the PNPs; in 2012 the number of individuals granted permanent residence grew to 40,000. Over the same period, targets for Federal Skilled Worker Class declined (Baglay and Nakache 2013, 340) , though they have been increased more recently by the Liberal government.

Scholars have criticized the increased frequency of two-step migration on a number of fronts. Firstly, many temporary workers are selected by employers, and many pathways to permanent residence require employer recommendation. This increases people's dependency on their employers and thus the costs of leaving an exploitative employer, since they may rely on their employer to gain permanent residence (Nakache and Kinoshita 2010; G. Pratt 2004). Secondly, it increases the influence that employers ultimately have over permanent immigration. Of the CEC, Nakache and Kinoshita write that "the measure has also been severely criticized for...devolving the responsibility for the selection and initial settlement of future citizens

to employers” (2010, 11–12). Thus, two-step migration conflates the stated needs of employers with the benefits of immigration for the nation.

Secondly, as provinces and territories design their own nominee programs, the number of streams has proliferated, each with their own eligibility requirements under which a worker may access permanent residence. Because PNP streams are tailored to specific gaps in the labour market of each province or territory, there are numerous categories with very specific selection requirements. In 2009 the Auditor General of Canada identified over 50 different routes to permanent residence through the PNPs (Baglay and Nakache 2013, 341). Websites about the nominee programs are not always clear on opportunities, especially those open to low-skilled workers, and selection criteria change frequently and without notice (Baglay and Nakache 2013, 343–44). Baglay and Nakache point out, “the net gain of expanded immigration opportunities through PNPs is felt primarily by skilled workers who already enjoy—under existing federal streams—a relatively advantaged position with respect to mobility and immigration.” (2013, 343). Even if someone in a low-paid position is able to find and meet eligibility criteria, the four year cap on the stay of certain foreign workers introduced in 2011 (and later scrapped by the newly-elected Liberal government) meant that people faced being forced to leave Canada while their application for permanent residence was still pending (Nakache 2015).

The complexity and opacity of routes to permanent settlement in Canada open a productive space for practices of statecraft and nation building. The provinces are granted broad powers to determine who can migrate under the PNP, leaving the federal government out of decisions to grant permanent residence to low-paid workers. The

relative obscurity of the streams open to low-paid migrants both reduce the likelihood that they are able to take advantage of them, as well as reduce their visibility to the public. This is unlikely to be an accident. The temporary immigration programs for low-paid migrants reflect contradictions between the desire for migrants' labour but ambivalence to their presence in Canada. Baglay and Nakache note the:

longstanding symbolic association/dissociation of Canadian citizens with skilled/low-skilled migrants workers: to put it simply, skilled migrant workers, who perform jobs that Canadians are willing to perform, are seen as 'deserving' a permanent resident status; in contrast, low-skilled migrant workers, who perform the 'dirty jobs' are expected to spend years in Canada as workers, but not as future citizens. (2013, 337)

The patchwork of routes to permanent residence are difficult to navigate, lack transparency, change frequently, and do not necessarily align well with temporary immigration programs designed at the federal level, leading to uncertainty about stay in Canada and increased risk of falling out of status.

**Table 3: Formal Immigration Status at the Time of Research Participation<sup>1</sup>**

International Student	1
Out of Status	1
Permanent Resident	2
Refugee Claimant	4
Work Visa – Live-In Caregiver	6
Work Visa – Post-Study Work	2
Work Visa - Other	1
Work Visa – Semi-Compliant	1

### ***Precarious Immigration Status and City Services***

According to the City of Toronto Act, the mandate of the City is to serve its residents. Thus, the City is not required by law to limit services on the basis of immigration status. This opens up a productive space for the City to welcome people regardless of formal immigration status, and some City departments, officials, and politicians have taken up opportunities to do so. The Toronto District School Board (TDSB) passed a “don’t ask don’t tell” policy in 2007, formally allowing the enrollment of children in schools regardless of immigration status. However, implementation has been slow and uneven, meaning that, five years later, advocates still reported instances of difficulties helping children enroll as students in school in Toronto (F. Villegas 2013).

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<sup>1</sup> In accordance with my application to the Research Ethics Board, I did not ask people to disclose their current formal immigration status. Many people volunteered their formal immigration status, information that I did not omit from transcripts because no one was out of contact with IRCC. However, in a few cases the current status is inferred from context rather than deriving from an explicit statement of formal immigration status.

In 2013, Toronto's City Council passed a motion declaring Toronto to be a sanctuary city, and the set of policies and practices to implement sanctuary in Toronto were later branded AccessTO. AccessTO seeks to improve access to City services by reducing the circumstances in which potential service users are asked about their immigration status and committing not to share personal information, including immigration status, with federal authorities. According to SR, a policy analyst for the City, the sanctuary declaration was implemented through a multi-step process. City officials examined what kind of evidence and documents are routinely checked by various City service areas, identified which services could eliminate checks of immigration status or what documents could be used instead of immigration documents, and provided information to frontline staff about how to make their services accessible. Once this work was done, the City created a website, posters, and other publicity materials to inform the public about which City services were accessible regardless of immigration status.

As with the schools' don't ask don't tell initiative, implementation of sanctuary city policies remain uneven. SR acknowledged that it was a challenge with such a large number of frontline workers and no budget allocated to conduct staff trainings. YB, a research director who focuses on immigration policy in Canada, explained that the impact of AccessTO depends also on a culture shift:

Even if you have a policy, even if there are measures are in place, if there isn't a culture shift then not everyone that's part of the institution is necessarily going to work to make it accessible. Even if they have mechanisms. So that's an ongoing

issue. And that means it has to be part of ongoing training, HR procedures, hiring, leadership, all of that.

While the extent of a culture shift has not been studied, several audits of AccessTO show that people are still sometimes asked about formal immigration status when attempting to use services that should be available to all Toronto residents (FCJ Refugee Centre 2015; Hudson et al. 2017; Slaunwhite 2018). In spite of the sanctuary city declaration, a number of key municipal services remain contingent upon immigration status, as are services administered by the City on behalf of the province of Ontario.

Racialized people with precarious immigration status face additional risks due to systemic racism within the criminal justice system. Research shows that in Toronto, neighbourhoods with a high proportion of people of colour are subject to additional surveillance and that people racialized as black or brown are more likely to be stopped by the police. During my fieldwork period, the systemic mistreatment of black Torontonians by the Toronto Police Service came under public scrutiny. Activists raised concerns about police carding and use of force in interactions with black residents (Fakhrashrafi, Kirk, and Gilbert 2019). Police carding refers to documenting encounters with people—in practice, disproportionately racialized people—who are stopped on the street without any suspicion of criminal activity. The *Toronto Star* released a series of articles documenting racial profiling in police carding in 2010, following a 7-year battle to obtain the data (Rankin 2012). The Toronto Police Services Board established a subcommittee to examine the practice of carding. The Board ultimately mandated changes to the carding policy that were put into effect in 2017, limiting the circumstances in which personal details may be collected. However, personal details

may still be collected and stored, and activists continue to be concerned about the effects of the practice on racialized communities (CBC Firsthand 2019). Discriminatory policing may increase a climate of fear amongst racialized people with precarious immigration status.

### ***Settlement Services, Organizing, and Institutional Supports***

In Canada, most support services for newcomers are provided by nonprofit organizations that receive substantial funding from the federal government (Yu, Ouellet, and Warmington 2007), although they may also receive funding from other levels of government, foundations, or donors. These support services are called settlement services and were designed to offer a “variety of programs and services designed to help newcomers become participating members of Canadian society as quickly as possible” (CIC Canada 2002 quoted in Wayland 2006, 11). Because of the long-standing emphasis on permanent migration, the federal government limited the use of its funds to provide settlement services to permanent residents. When the funding priorities were initially set, most newcomers could receive settlement services because most arrived with permanent residence. However, the funding requirements have not changed, even as the federal government now admits a large number of people with temporary, rather than permanent, status. Thus, many of today’s newcomers are potentially excluded from support finding housing, learning English, and looking for a job.

In Ontario, the picture is somewhat improved because the province has wider eligibility criteria for settlement service funding. Toronto is home to a number of agencies that have settlement services, migrant justice, and grassroots organizing on issues affecting newcomers as part of their mandate, some of which are able to support

people regardless of immigration status (Bauder 2015; Fakhrashrafi, Kirk, and Gilbert 2019; McDonald 2012; Wright 2003). Examples of these agencies include Black Lives Matter, Caregivers Action Centre, Culture Link, Migrant Workers Alliance for Change, The Neighbourhood Office, No One Is Illegal-Toronto, Wood Green Community Services, and the Workers Action Centre. Additionally, numerous specialized service providers exist in Toronto to support people making refugee claims on issues from housing to settlement to legal support, such as experienced refugee lawyers, the Canadian Centre for Victims of Torture, FCJ Refugee Centre, as well as several shelters dedicated to housing people making refugee claims.

As a result, interviewees who work on migration issues in Toronto felt that there are a large number of services in Toronto supporting newcomers on a wide range of issues. YB, who works with settlement service providers, said that, "It's difficult to make an argument for creating from the ground up new services because you can't really say no one else does it...In Toronto you're likely to find someone. You can provide a referral. And if you can't, it's because no one is funding it." The challenge in Toronto compared to other areas of Ontario, then, relates to sufficient capacity to see newly-referred clients in a timely manner, as well as the accessibility to existing services on the basis of immigration status. The federal government is the largest funder of settlement services, and also the funder with the narrowest eligibility criteria on the basis of formal immigration status. As a result, accessibility to settlement services for people with precarious immigration status varies based on the specific organization, the funder of specific programs at those organizations, the willingness of the organization to quietly

serve people who cannot be counted towards meeting funding targets, and sometimes the individual person at an organization who is asked to provide a service. YB explained,

A group of agencies...came together to put together a handbook which is supposed to be a referral source precisely for people without immigration status. So you pick up the book, you think, "Oh, okay, you need help, go here." Right? And times without number...I've contacted those agencies and been turned away...And so if you end up talking to the wrong frontline worker or the worker with the wrong connections, then you might never get plugged in to whatever services do exist. So it's come down to pretty much individual experience. Trying to make it universal is an ongoing challenge.

In interviews with service providers, several indicated that they believed a large number of people with precarious immigration status did not have support from any nonprofit agency and might not know where they could get such support.

People who worked on migration issues in Toronto were most concerned about some of the severe health consequences of lack of access to basic financial security and medical care that they had encountered among clients with precarious immigration status. While these were not necessarily the most frequent instances of denial of services, they posed the most serious consequences. HD, a health care provider in Toronto, gave an extreme example of someone she met who did not have access to health insurance:

There was a woman who just sat in our clinic for three days and would not leave. She had three previous c-sections, so very high risk for labour, period. High risk of uterine rupture...At this point she was 38 weeks pregnant, she should have had

her c-section by now. Labour is very high risk for someone in this situation. I had this conversation. "There's nothing we can do for you." She said, "I can't go back home, I can't get on a plane." And I just said, "You need to go to a labour floor." She said, "I go everyday, they tell me to come back in labour." And I said, "But you can't be in labour [because it's too dangerous]." And she said, "I know." ...And I [said to her], "Get cash. Show up to the ward with cash. And just plead your case. But go with money." Which is gross. One of my colleagues said, "Someone's going to have to die and die in a really terrible way, if this person got care they wouldn't have died." This woman still haunts me. I'm assuming she got care. She walked out, and I thought, I wonder if she's going to be the one.

RM, the director of an organizing serving people regardless of immigration status, said the conditions of those most disadvantaged by their immigration status is shocking:

The housing conditions are *so bad*. And the, some owners or landlords [use tenants' status as an excuse not to maintain their houses]. Not everybody, but some of them. So the housing conditions related to the level of income that non-status can have, are horrendous. And you go to the level of food. The nutrition is unbelievable...I even believe that here in Canada, the non-status people, they go hungry. They don't eat, or *someone* in the family eats, and they take turns.

These instances show that while some people with precarious immigration status can enjoy practical and emotional support in Toronto, it is still a site where people are denied a basic standard of living and social safety net on the basis of immigration status.

## ***Status Checks and Apprehensions in Toronto***

Canada has increased the budget and capacity of the Canada Border Services Agency (CBSA) to conduct status checks, detain, and deport people from Canada (Nyers 2018; A. Pratt 2005; Silverman 2014). Among participants, many had experienced status checks to determine eligibility for services, during which time they felt at risk of being denied services. However, none told me they had experienced an incident in which a status check in Toronto made them feel under threat of detention or deportation, and none reported status checks by CBSA, police, or other authorities in public places within Canada's borders. Nonetheless, cooperation between CBSA and other government agencies, along with raids and apprehensions do occur periodically in Toronto. These incidents have caused worry among people working with newcomers, activists, and some of the study participants.

In spite of the sanctuary declaration made by Toronto City Council, the declaration does not extend to the Toronto Police Service. In discussions between City officials and the Toronto Police Service, the police have claimed that they are not only entitled but *obligated* to ask people about formal immigration status during police work and to share that data with the CBSA (Moffette and Gardner 2015; Moffette and Ridgley 2018; M. Saunders 2018):

Mark Pugash of the TPS [Toronto Police Service] stated that if police become aware of illegal (im)migration status they are required to report it by law. This statement contravenes s.142 of the Immigration and Refugee Protection Act which requires that officers report only when they execute a warrant or order for arrest; in the absence of any such warrant or order, police are not obligated to

report someone to the CBSA simply because they are undocumented.

(Fakhrashrafi, Kirk, and Gilbert 2019, 89)

CBSA operates a call centre for law enforcement officers to check if a person has an outstanding immigration warrant. Research shows that in 2015, the Toronto Police Service called CBSA more than 5,000 times, and 84% of these calls were logged by CBSA as status checks (Moffette and Ridgley 2018, 150). While the Toronto Police Service policy appears to indicate that victims or witnesses of crimes would normally not be asked by police about their immigration status (M. Saunders 2018), the experiences highlighted by activists suggest that the written policy does not necessarily match police practice (Moffette and Gardner 2015). AG, director of a counseling program, described an incident in which a person she knew was caught in a bar. A fight broke out among two other patrons. When the police came they checked her acquaintance's immigration status even though he had not been involved in the fight. Incidents like these contribute to a climate of constant fear among people without authorization to remain. AG explained, "You're afraid all the time...You're always very aware of where you are and who's around you. If the police are around you, [or] someone who's suspicious. You're always concerned."

Within the past ten years, CBSA has apprehended people by entering domestic violence shelters and schools and by conducting status checks during highway safety checks, in the subway, and in malls in lower-income neighbourhoods (cf CBC News 2014; F. Villegas 2013). Recalling conversations with the Ministry of Transportation about the partnership during traffic stops, YB burst out in frustration, "Why were they [the Ministry of Transportation] partnering with them [CBSA]?!" Of the same incident, VI

pointed out, “None of the folks who got arrested were driving. So why were they even questioned? All you need to ask the driver [during a routine traffic stop] is whatever it is that the Ministry of Transportation asks when they do this traffic blitz.” A few service providers talked about incidents that had been reported to them of clients having their status checked, for example in the subway, at Dufferin Mall, or on roads near their offices. These incidents created a climate of fear, after which clients began to avoid certain neighbourhoods, services, and modes of transit. AG described another exchange with a service user around the time of the PanAm games, when the police heightened their presence and visibility.

One of my clients was working cleaning houses for this man at [downtown intersection], and the poor woman was terrified because there were more police in the stations. My clients were in a panic. Completely in a panic. I said, “Can you avoid the subway?” And she found a way. It took her double the time. She had to do a big loop. But she found a way.

These incidents show how even within a sanctuary city, certain public and semi-public spaces can be risky or unsafe. Enforcement actions or rumours of enforcement actions therefore affect how people with precarious immigration status circulate through the city and the affective experiences of doing so.

## ***Conclusion***

Over the past fifteen years, Canada has moved away from policies that grant permanent residence to most immigrants upon arrival to policies that allow more admissions of temporary migrants than permanent migrants and result in longer periods with precarious immigration status. Baglay and Nakache (2013) point out that

contemporary immigration policies have increased opportunities for immigration to Canada. Opening streams for workers in low-paid occupations means that people who have previously been excluded from immigration to Canada may now be able to do so. However, frequent policy changes and a poor fit between visa programs and pathways to permanent residence make it challenging to move from precarious to permanent status. Despite the shift to temporary migration, many settlement services are only funded to serve permanent residents and recognized refugees, leaving out people with temporary status, people claiming refugee status, and people without authorized stay. Although these trends are somewhat mitigated in Toronto, where there are more services that can support people regardless of immigration status, gaps in accessibility of City and nonprofit services remain. Practices by police in Toronto to check the immigration status of victims, witnesses, and people in public represent an important way in which the safety of people with precarious immigration status may be compromised in Toronto. Thus, policies and practices at the federal, provincial, and municipal levels intersect in ways that make Toronto a place where people with precarious immigration status may be recognized as belonging, but also a place where they may be treated as unbelonging.

## Chapter Four: Conceptualizing the Limits of Formal Immigration Status

The aim of this paper is to argue for an understanding of formal immigration status as an artifact to which different meanings are attached. These meanings vary across space and time depending upon how formal immigration status intersects with support systems and identities. I do so by articulating a conceptualization of formal immigration status that meets two criteria. Firstly, it de-couples immigration status from the holder of that status, such that a person living outside their country of birth is not a 'migrant', a 'refugee', or 'illegal', but rather an ordinary person embedded in a multiplicity of social, political, and historical circumstances (Turton 2003), of which their relation to the state where they reside is one relation of many. It acknowledges that immigration status is a state category designed to render non-citizens legible for the purposes of governance (Scott 1998). Secondly, it accounts for the contradictory and uneven roles that immigration status plays in shaping people's subjectivities and opportunities. In other words, the conceptualization addresses how immigration status, like other identity markers, influences but cannot define people and their lived realities. I then draw on empirical work conducted in Toronto, Canada to illustrate the limits of ascribing fixed meanings to formal immigration status. I show that people who share an immigration status may have very different migration trajectories, motivations, priorities, support systems, and ways of navigating the immigration regime. As a result, immigration status reverberates differently through participants' everyday lives.

Although immigration status is a much-used concept within migration studies, it remains under-theorized and is rarely the explicit object of study (Goldring and Landolt

2013; Tonkiss and Bloom 2015; for exceptions, see Crawley and Skleparis 2018; Fasani 2014; Landau and Duponchel 2011). For example, migration theory is typically understood as explaining why people migrate, where they go, and their social or economic incorporation upon arrival, neglecting immigration status entirely (cf Brettell and Hollifield 2015; Castles, Haas, and Miller 2014; Massey et al. 1993; Portes and DeWind 2008; Portes and Rumbaut 2001). Although there are bodies of literature theorizing specific statuses—most prominently citizenship, illegality, and refugee status (Bosniak 2006; De Genova 2002; Honig 2001; Kumsa 2006; Ngai 2004; Zetter 1991)—these conversations are largely siloed. Insight about the conditions associated with immigration status and the work that specific immigration statuses does on individuals (cf Coutin 2000; Fudge and MacPhail 2009; Goldring and Landolt 2013; Mountz et al. 2002; Sigona 2012; Vosko, Preston, and Latham 2014) is seldom used to reflect upon immigration status more broadly.

This paper brings together insights from these sub-disciplines of migration studies to animate a critical discussion about how scholars invoke immigration status. Geographers are uniquely positioned to study the multi-scalar and spatially-variable effects of immigration status. Immigration status originates from policies set out at the national scale, but enforcement is situated within particular social relations, depending on (non-)cooperation of local actors (cf Coleman 2008; Valdez, Coleman, and Akbar 2017).

Because this paper draws attention to the variable effects of formal immigration status, I avoid over-utilizing terms that reduce people to their formal immigration status. Therefore, I refer to those whose narratives are analyzed here as ‘person’ or

'participant' unless it is necessary for the purposes of clarity to use the term 'migrant.' At times I reference people's specific current or past formal immigration statuses, but I limit use of formal immigration status to analysis of when and how status is enacted.

The paper proceeds as follows: I identify how under-conceptualization of immigration status contributes to gaps in the literature. I describe the methods used for the collection of data. I then lay out a conceptualization of immigration status that situates formal status within a wider range of social relations. In the second half of the paper, I use empirical data to develop the conceptualization further. I show that formal status reflects an outcome of negotiating immigration laws. Finally, I show how people's capacities, resources, and social relations beyond immigration status configure their experiences of formal status, such that those experiences are variable across time and space and that status is a poor proxy of vulnerability.

### ***Immigration Status in Migration Studies Literature***

Immigration status is an important concept within migration studies. Much empirical research examines the productive power of immigration status, for example how it shapes people's rights and material conditions (Blitz and Otero-Iglesias 2011; Fudge and MacPhail 2009; Goldring and Landolt 2013; Mountz et al. 2002; Rajkumar et al. 2012; Sigona 2012; Stewart 2005; Strauss and McGrath 2017). Many studies use immigration status as an analytical category that frames their research questions and participant recruitment, for example how a phenomenon affects people with the same formal immigration status or a comparison across two statuses (Al-Ali, Black, and Koser 2001; Allsopp, Chase, and Mitchell 2015; Bhuyan et al. 2018; Blitz and Otero-Iglesias 2011; Hari 2014; Hennebry 2012; Hou and Bonikowska 2017; Lacroix 2004; M. Z. Li and

Stodolska 2007; Mountz et al. 2002; G. Pratt 2004; Robertson 2014; Stewart 2005).

Much can be learned by studying how people who share similar characteristics (e.g. immigration status) are affected by inequality and exercises of power. Indeed, doing so is a mainstay of critical social science. Each of the above works has advanced scholarly understandings of immigration and settlement and raised important critiques of immigration control in the Global North.

Notably absent, however, is an engagement with immigration status—what it is, what implications that has for how we study and write about it, the uses and limits of status as an analytical category, and how studies framed around immigration status can refine our understanding of it. Scholars have developed conceptualizations of a few specific statuses, most notably citizenship, illegality, and refugee-ness (Bauböck 1994; Bosniak 2006; De Genova 2002; 2004; Honig 2001; Ngai 2004; Zetter 1991; 2007). Although some of the insights from these works could be applied across immigration status more broadly, there is no ongoing debate about immigration status to which to contribute. Instead, the works have emerged largely in parallel, each within their own sub-discipline, rather than in conversation with one another. Similarly, scholars who research across formal immigration statuses (Goldring and Landolt 2013; Triandafyllidou 2013; Vosko, Preston, and Latham 2014) or who study the relationships between formal immigration statuses have generated promising insights into immigration status. For example, scholars have used the relationship between two limit conditions—illegality and citizenship—to show that decisions about deportation, illegalization, and naturalization serve not only to discipline migrants, but also to constitute and discipline the citizenry (Bridget Anderson, Gibney, and Paoletti 2011;

Bosworth and Guild 2008; Honig 2001; McDonald 2009; Ngai 2004). Nonetheless, this literature relies on formal immigration status as an analytical category and does not use findings to speak to a conceptualization of immigration status.

Formal immigration status, at its core, is a policy category and a social relation to the state. The frequent use of formal immigration status without engaging substantially with that category has pitfalls. It reproduces nation-state logic and methodological nationalism, and it can contribute to sedentary bias (Bakewell 2008a; Glick Schiller 2010; Malkki 1995; Sager 2016; Wimmer and Glick Schiller 2002). I am particularly concerned with issues raised by Oliver Bakewell (2008b) and Janine Dahinden (2016) about how uncritical use of formal immigration status as an analytical category can obscure certain phenomena and naturalize categories that research seeks to destabilize. The solutions they suggest are policy-irrelevant research and the de-migrantization of research respectively.

The subsequent article reinforces their calls for a different type of research by exploring several empirical insights that formal immigration status obscures and suggesting a conceptualization of formal immigration status that undermines problematic tacit assumptions about the role of status in people's everyday lives. This paper argues that using immigration status as a framing concept relies on several assumptions that do not stand up to scrutiny. One such assumption is that formal immigration status accurately captures people's circumstances prior to migration. For example, Feng Hou and Aneta Bonikowska write that "immigrants admitted [to Canada] through different classes differ not only in human capital and family economic resources, but also in motivations, pre-migration circumstances, host-country

receptivity and post-migration experiences” (2017, 1434–35). Yet it is well known that highly-educated people may accept visas to perform labour in low-wage sectors in Canada. Another such assumption is that formal immigration status supersedes other identities and positions in social networks such that formal immigration status yields particular outcomes, such as vulnerability (Goldring and Landolt 2013). This assumption masks how immigration status intersects with other social relations and dimensions of identity. Doing so conceals the space-times in which other identities and relations take primacy over status, and it forecloses questions about how and why experiences of formal immigration status shift across space and time.

People are multiply embedded in social relations. Research on intersectionality shows that these identities interact and modify one another. Following Jennifer Hyndman (2001) and Hyndman’s work with Malathi De Alwis (2004) on gender, I argue that that the primacy of immigration status over other social relations cannot be assumed. The centring of formal immigration status as an analytical concept tacitly contributes to the idea that one’s relationship to the state and sovereign territory matters more than other identities and social relationships. The hierarchy of identities can be seen most clearly when scholars use immigration status as a noun to describe the holder of that status, for example ‘migrant’ or ‘low-skilled worker’ (cf Bhuyan et al. 2018; Fudge and MacPhail 2009; Hennebry 2012; Robertson 2014; Tungohan 2018). Although such nominalization is clear and concise, it subordinates people’s characteristics, identities, and relationships beyond those that were revealed for the purpose of applying for a visa or immigration status. Beyond academia, the hierarchy of social relations is used to justify what is today common practice by states—prioritizing

immigration enforcement above other legal obligations, such as criminal or human rights law (Bosworth and Guild 2008; Dennler 2018). In offering a framework to define and conceptualize immigration status, I build upon the literature on citizenship, illegality, and refugee-ness to identify formal immigration status as a social relation to the state and urge scholars to examine it as one social relation of many, as opposed to assuming it is the most influential one.

### ***Methodology***

The paper is based on fieldwork conducted in Toronto, Canada from June 2015 to July 2016 as part of a research project on how people adapt to living for extended periods of time with precarious immigration status. I conducted semi-structured interviews and one focus group, reaching 18 adult men and women who had lived in Canada for at least two years with precarious immigration status. People with precarious immigration status are those who live in Canada outside of immigration detention who, due to being born abroad and without Canadian citizenship, hold a liminal social and legal position, on the threshold of belonging and unbelonging and who self-identify as worried about their ability to stay in Canada.

Recruitment yielded participants who had been in Canada for between two and twelve years. The mean arrival year was 2011. Although some had previously fallen out of status, no participants were avoiding contact with Immigration, Refugees, and Citizenship Canada (IRCC) or were subject to a deportation order. Rather, all either held a valid visa or were in the process of applying for a visa. At the time of the interview, at least six had applied for permanent residence and were awaiting a decision, and two others had just received a preliminary decision. With the exception of a few focus group

participants who were older, research participants were mostly in their 20s and 30s and reported professional advancement through education or work to be a key objective.

To protect anonymity of participants, I used an oral consent procedure and did not record contact information for participants. In the research dissemination, pseudonyms are used for all participants. To further prevent deductive disclosure (B. Saunders, Kitzinger, and Kitzinger 2015), whereby individuals are recognized by people who know them, some participants have been assigned more than one pseudonym. I keep pseudonyms consistent throughout to the extent that is possible, but those quotes that are most likely to give rise to deductive disclosure are separated from other quotes through the use of additional pseudonyms.

This paper emerged from a commitment to studying up (Mountz 2010)—examining political systems through lived experiences with them rather from the perspective of people who have the most influence over reproducing those systems. It was influenced by two concurrent concerns, one theoretical and one arising from a grounded theory approach (Charmaz 2008; Glaser and Strauss 1967) to data analysis. I have been interested in how to approach immigration status in the context of iterative practices that have elevated immigration status into something more than a policy category and a social relation to the state—an identity given primacy over others. This elevation occurs in law, as nationality “seems to trump other aspects of [people’s] identity... not all identities are equally valued or safeguarded” (Bosworth and Guild 2008, 710). But it is reinforced in how “we inadvertently reproduce state policies in the intimacies of our daily lives. We enact the state” (Mountz 2010, 148).

As fieldwork progressed, I became increasingly reluctant to track recruitment progress by participants' formal immigration status. I felt that their current status masked more about their migration and settlement trajectories than it revealed, and thus was an unhelpful reflection on data collection. Although my discomfort about recruitment reporting may appear an odd source of data, attention to emotions during fieldwork is warranted. In feminist epistemologies, the boundaries between research as an activity (fieldwork) and research as an output (knowledge produced) are understood to be messy (England 1994; Katz 1994). Whether reported or not, emotions and affective registers influence decisions in the field, and they guide what knowledge is produced (cf Beban and Schoenberger 2019; Coddington 2017; Billo and Hiemstra 2013; Schoenberger and Beban 2018). My reluctance to count people by formal immigration status was subsequently reinforced by the data analysis, in which I found similarities across participants with different statuses and differences between participants with very similar status trajectories. These similarities and differences can be accounted for in attending to how immigration status is artificial (if productive) and one social relation among many (rather than always already the most salient social relation). The subsequent paper shows how grounded theory can be used to move between theory and empirical findings in order to strengthen theory.

### ***Conceptualizing Immigration Status***

Nicholas De Genova (2002) and Mai Ngai (2004) argue that illegality is created by the state, not by the practices of people who cross borders. I wish to extend their insight to immigration status more broadly and use this as a starting point for a conceptualization of immigration status. At its core, immigration status is a social

relation to the state, produced by state laws to realize state aims. Those aims are to render newcomers legible to the state (Scott 1998) such that they can be governed in ways that meet the economic, social, and political demands of nation building.

Immigration status is partial, subjective, and both temporally and spatially specific. In this section, I take up each of these claims separately before offering a framework of how, within the context of this conceptualization, immigration status should be operationalized.

Immigration status is produced by the state in at least two senses. Firstly, the apparent need to regulate entry to and presence within a country emerges from notions of sovereignty that focus on control over territory. In an era of globalization and advanced capitalism, in which the roles of the state are being renegotiated, control over borders has emerged as a key site of asserting and maintaining the relevance of the state (Andreas 2003; Dauvergne 2008; Johnson et al. 2011; Rumford 2006). Like citizenship, immigration status is associated with bundles of rights, responsibilities, and entitlements to social and economic goods. In addition to determining who has access to sovereign territory, states play an important role in defining the conditions of that access. States regulate access to the labour market and forms of social support (Ataç and Rosenberger 2019; Fudge 2012; Rajkumar et al. 2012). Not everyone who is authorized to enter a country is allowed access to the labour market without restriction, receive welfare, or enjoy other social goods. Those who are perceived as more deserving or desirable are given privileged access, creating hierarchies of rights associated with immigration statuses (Bridget Anderson 2010; Fudge 2012; Huot et al. 2016; Mountz 2010).

Secondly, immigration status is produced by the state in the sense that bureaucrats for the federal government assign immigration status to individuals through status determination procedures. States issue documents like permanent residence cards, visas in passports, or refugee identification as evidence of the status assigned to individuals. Because those with authorized immigration status normally have status documents, people without formal authorization are sometimes called undocumented. Immigration status, then, reflects a way of seeing an individual that stem from the aims of the state to control entry to sovereign territory and restrict people's practices in ways that are understood as protecting the nation. This way of seeing is partial and subjective, depending on what information might be needed to make decisions about entry, rights, and access.

It is partial because during the status determination process, decision makers take into consideration information and evidence relating only to certain aspects of a person's life. Information commonly required includes financial resources, education and employment history, criminal record, or names of relatives living in the potential host country. Decision makers do not consider the totality of a person, but rather the aspects of a person deemed relevant to assigning them an immigration status. People applying for immigration status represent themselves through forms and documents in particular and incomplete ways. Some applicants may be eligible for more than one status. They must choose which status to apply for based on their goals and constraints and then represent themselves on their application in the way that they think maximizes their chance of success.

Immigration status is subjective because criteria emerge from political decisions about who should be allowed to enter or remain in a country. The role of immigration in nation building is not neutral, but contested. Thus, there are variations in immigration laws and practices across countries, and within countries those laws change over time. In Canada, immigration and refugee issues are increasingly matters of public debate and campaign promises. Unsurprisingly, then, it has become common for newly-elected governments to enact substantial immigration and citizenship reform (Alboim and Cohl 2012; Atak, Hudson, and Nakache 2017; Carlaw 2017). The frequent changes show that decisions about who should be allowed to enter and what conditions should be placed upon them are not objectively rational, but rather political. Immigration status is further subjective because decision makers interpret evidence provided to them in order to reach their decisions. Decisions can vary for reasons including different interpretations of facts of the case, the profiling of applicants as likely to commit fraud, or human error (Evans Cameron 2010; Toronto Star 2016a; Rehaag 2012)

Immigration status is also temporally specific. Many immigration statuses are granted for a defined period of time, after which status expires. Those who wish to remain may apply to renew their status or apply for a different status, but expiration of a visa can also lead to someone falling out of status. Indeed, many illegalized migrants in Canada and elsewhere begin their residence with some form of temporary immigration status before losing formal authorization to remain (Goldring and Landolt 2013; Macklin 2014a). Immigration status also reflects a decision made at a particular moment in time. It is normally considered to remain valid for the duration it is granted. However, immigration status can be revoked, often relating to serious criminality or fraudulent

misrepresentation of material facts, but also due to semi-compliance with conditions attached to the status (Ruhs and Anderson 2010). Semi-compliance is rarely caught, and thus rarely sanctioned (for a recent exception, see Global News 2019), but it creates a fuzzy area between 'legality' and 'illegality.'

Immigration status is spatially specific, both at the national and local scales. When a person is granted status in Canada, that status is determined by Canadian officials on the basis of Canadian laws and should be recognized in Canadian territory. With the exception of applications for refugee status, formal immigration status in other countries has little or no influence upon formal immigration status elsewhere. People may be asked to disclose their immigration status in other countries, but such immigration status does not typically confer rights in another territory. Furthermore, people can have a relationship with more than one nation state. The literature on transnationalism draws attention to the endurance of ties to other places (Basch, Glick Schiller, and Szanton Blanc 1994; Bauböck and Faist 2010; Glick Schiller and Fouron 2001). A person may be an influential sender of remittances and donor to political campaigns in one country while be considered unworthy of the rights and entitlements associated with a privileged immigration status where they live. Beyond the maintenance of deep transnational ties, someone can simultaneously be a citizen in one country, a permanent resident in a second country, hold a temporary status in a third country, and visit a fourth country as a tourist. Their entitlements and socio-political relations to a given territory will vary as they are mobile across international borders. Reliance on immigration status as a marker of identity, then, suggests that immigration status and identity in relation to a nation-state is singular, when in fact relations to

states may be multiple. The multiplicity of relationships has been explored by the literature on transnationalism, but without reflecting back about the implications of transnational ties for understanding immigration status as a state category and a marker of identity. Elaine Lynn-Ee Ho's research (2016) has begun to explore the issue through a case study of return migration to China, highlighting how cross-border movements complicate state categories and identities in relation to states.

At the local scale, immigration status is spatially specific because immigration status matters more in some spaces than others, and even in spaces where quality of treatment and eligibility of access are dependent on immigration status, practices of enforcement are uneven. There has been a rise in reliance on local enforcement of immigration law, meaning that people beyond border agents are increasingly called upon to verify the identity and immigration status of individuals before granting them access to rights, labour markets, and housing, among others (Coleman 2008; Coutin 1998; Leitner and Preston 2012; Stuesse and Coleman 2014; Valdez, Coleman, and Akbar 2017; Varsanyi 2008a; 2008b). As more actors are conscripted into forms of immigration enforcement, practices of enforcement remain uneven rather than becoming more uniform across sovereign territory. Some sub-national governments have enacted sanctuary policies, choosing not to cooperate with local enforcement (Bauder 2015; McDonald 2012; Ridgley 2008). Furthermore, outcomes of local enforcement are, in practice, idiosyncratic. Gatekeepers may not understand what is required of them or struggle to balance competing imperatives within law, resulting in enactments that are either stricter or more lax than what was envisioned by

policymakers (Dennler 2018; Valdez, Coleman, and Akbar 2017). As Inés Valdez, Mat Coleman, and Amna Akbar argue,

the terrain of [immigration] enforcement...emerges from a realm of practice in which a range of forces – concerning the production of legal text, executive decision-making, and federal and local front-line enforcement – interact, clash, contradict, and build on each other...the gap between immigration enforcement as outlined in the text of the law and by high-ranking immigration officials, and how immigration enforcement is taken up in specific contexts, is precisely how we understand the ‘normal’ U.S. immigration control apparatus to function. (2017, 547–48)

Thus, access to rights and entitlements are socially situated and variable across space.

Immigration status has increasingly been implicated in social relations beyond those relating to national agencies and the provision of government services. The growing number of sites of enforcement and immigration status checks explain how it is that immigration status appears as something more than a bureaucratic identity and a relation to the state. Through the increasing frequency that people are asked about their immigration status and the wide range of spaces in which people are unwelcome or unsafe on the basis of immigration status, immigration status shapes people’s subjectivities and opportunities (Bridget Anderson 2010; Ataç and Rosenberger 2019; Fasani 2014; Fudge 2012; Goldring and Landolt 2011; 2013; Mountz et al. 2002). For some individuals, immigration status seeps into the intimacies of everyday life, including wellbeing, sense of self, personal relationships, and practices of place- and home-making (Menjívar 2011; Mountz et al. 2002; Sigona 2012; P. Villegas 2014). Migrants may

conceive of themselves as hyper-regulated: perhaps by an omnipresent, yet disembodied state or perhaps by a state logic that may be embodied and enacted by anyone (Menjívar 2011; Mountz 2010). There is, then, a tension between immigration status as ‘merely’ a policy category and also as profoundly productive, influencing how people are treated, what they can do, and how they think of themselves.

Yet it is important to hold these two characteristics—immigration status as a social relation to the state and immigration status as profoundly productive—in tension, rather than to emphasize one at the expense of the other. A wealth of empirical evidence documents the limits of using a policy category such as immigration status to understand people’s experiences, which are the outcome of a complex layering of personal histories, identities, social ties, and desires, of which immigration status is one of many (Bloch, Sigona, and Zetter 2011; Crawley and Skleparis 2018; Favell 2015; Ho 2016; Lahman et al. 2011; Landau and Duponchel 2011; Turton 2003). To frame someone first and foremost as a migrant or as holding a particular formal immigration status is to grant a fixity to immigration status that cannot be empirically justified. Furthermore, it ignores the other types of social relations in which people are embedded, and the role of those social relations in shaping identities, subjectivities, and opportunities.

I suggest, then, an alternate framework to understanding immigration status as a sort of master identity or influence in shaping experiences. Immigration laws set out varying degrees of access to social goods, hollowing out access to institutional supports. As social beings, all people require social and institutional supports (Butler 2004b; 2011). Limitations associated with immigration status undermine institutional support.

Policy categories considered by many to be legitimate and binding are used to delegitimize access to institutional supports. But this hollowing out of institutional supports plays out differently for different people depending on the extent they need to draw on supports during a particular period and whether they are able to cobble together other support through social networks. To acknowledge people's multiple identities and ties, I suggest that immigration status should be understood as one of several factors, taking into consideration the following:

- Formal access to specific rights. For each right, one must consider the importance of that right and the consistency of access to that right, both of which may fluctuate across time and space;
- Protection concerns or other factors that heighten pressure to remain in the country of settlement, for example family unity;
- Social inclusion/exclusion, such as discriminatory treatment, strength of friendships and social networks in particular places and at particular times;
- Forms of support beyond those that depend upon the government in the country of settlement;
- Personal capacities;
- Sense of likelihood that one can stay or control the terms under which they leave

The above framework ensures that immigration status is placed within a wider portrait that includes people's priorities, needs, desires, and capacities. While immigration status may be strongly influential in shaping a person's experience, the level of influence assigned to it should be the outcome of analysis rather than an ontological presumption.

### ***Similarities across Formal Immigration Status: Status as a Migration Strategy***

This research unsettles the idea that formal immigration status captures something about a person's characteristics, such as motivations for migration, need for humanitarian protection, or levels of qualification. Instead, I argue that formal immigration status emerges from the nexus between the migration possibilities that exist within immigration law and how people navigate those possibilities, recognizing that some people have more resources, information, and choice than others. By analyzing people's formal immigration status within the context of a broader migration trajectory, scholars can understand what formal status means to an individual.

Regimes of immigration control are designed to make people legible to the state in specific ways, what James Scott calls "seeing like a state" (1998). Application forms require people to reveal and document those characteristics considered to be relevant to the field of governance. However, it is important to note that different forms and supporting documents are required for each formal immigration status depending on the eligibility criteria for that status. So while some information collected is standard, a single application is only used to determine eligibility for a single status. Potential newcomers or permanent residents cannot assemble a wide-ranging list of reasons for migrating and evidence of all their potential contributions to make an argument for their acceptance on the totality of the facts. Application under one program does not preclude simultaneous eligibility under another. Thus, people who may be eligible for more than one program navigate the immigration system by evaluating factors such as perceived likelihood of success, ease of application, and benefits of one status over another.

Immigration status arises from how people represent themselves selectively to the state and how those partial representations are evaluated by the state.

In examining participants' motivations for migrating and their migration trajectories, I observed that people who shared a number of characteristics—such as education level, presence of family in Canada, English language ability, and fears of returning to their country of citizenship—held different immigration statuses. In particular, there was significant overlap between people who held or had held international student visas and people claiming refugee status and also between skilled workers and partners of Canadian citizens. Thus, participants' formal immigration status reflected the outcome of how they navigated the options available to them within Canada's immigration regime, rather than substantive differences in their reasons for migrating or their potential as future students or professionals.

Asmaa was raised outside her country of citizenship, and Canada is the third country with which she has substantial ties. Her family faced persecution in the country of which they are citizens. While they enjoyed safety in the second country, that safety was insecure because they were ineligible for permanent residence or citizenship. They lived with the knowledge that they could be forced to return to their country of citizenship. Although Asmaa might be eligible for political asylum, she has pursued other immigration programs based on education rather than humanitarian need to enter and remain in Canada:

A lot of people [who hear about my migration history] are like, "Why didn't you apply as a refugee or for asylum?" From an ethical point of view, there are people in much more dire need than me to get their status. I feel I can come as a skilled

worker, which unfortunately did not work out, but I thought, “Oh, maybe I can get education and work as a skilled worker.” But again, that did not work out as well. So sometimes I feel like, “Maybe I should have done it.” Maybe I feel like this was not a very good decision to start with...If you want something, you have to pay the price for it. And sometimes the price differs from one person to the other.

Asmaa felt uncomfortable about using the asylum system because others had experienced direct violence that she had not faced, and she also had enough qualifications that would be recognized by Canada to seek an alternate route.

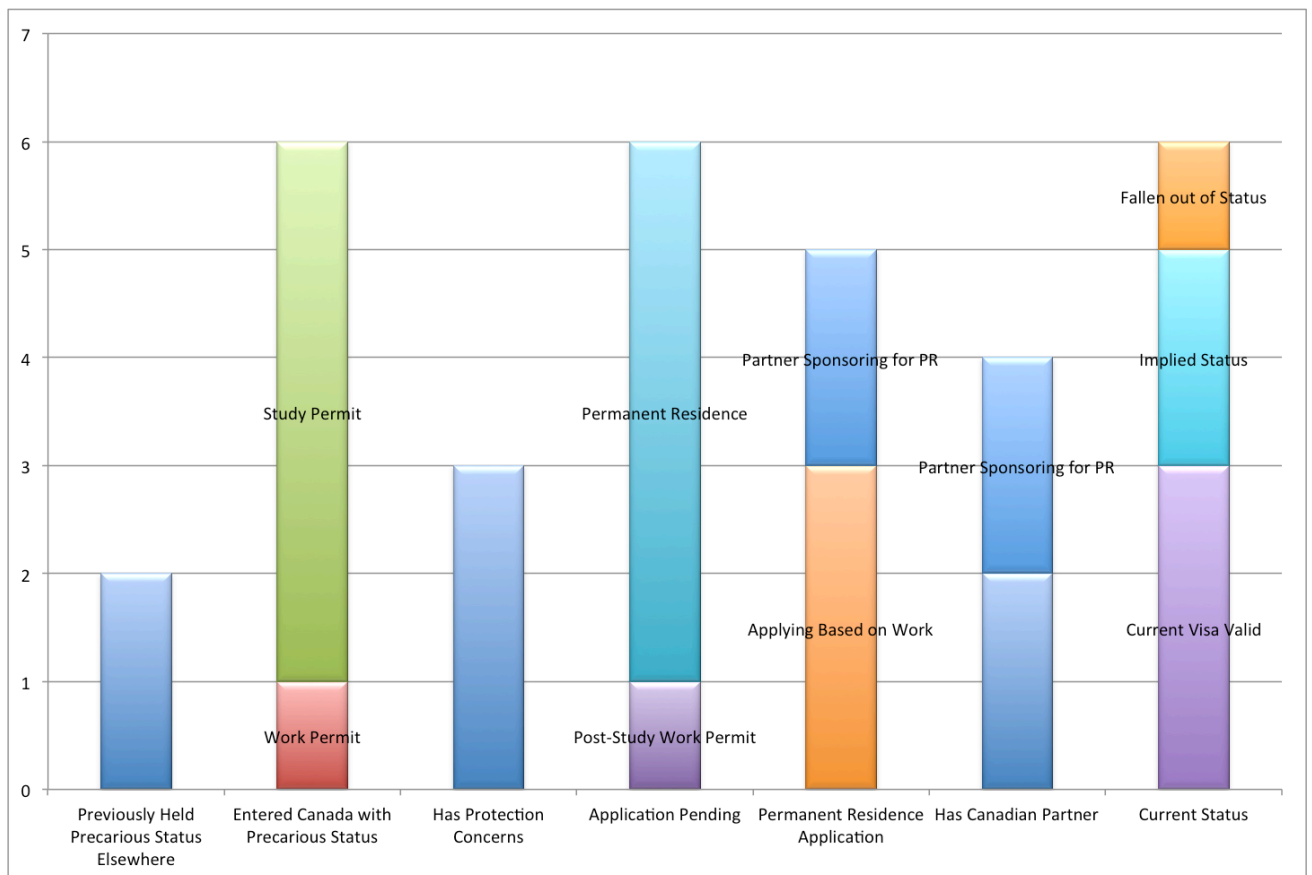
Like Asmaa, Nico arrived in Canada with an international student visa and earned a degree in Canada. And like Asmaa, Nico left as part of a strategy to protect himself from violence in his country of citizenship. Most young people he knew from childhood were also seeking ways to leave Venezuela, so at the time of his emigration, Nico thought of himself as fortunate to be able to study abroad thanks to his education and excellent English. He did not initially frame his emigration in terms of protection needs. Once in Canada, however, Nico met people who had been recognized as refugees. Through this experience, he realized that his student status reflected his method of migrating as opposed to his motivation.

[I know two women] in their 60s, from Romania. They fled Ceausescu and that beautiful, lovely regime. And what troubles me is that the reality of mine wasn't that different [than theirs]. Queuing for food. The blackouts. The secret police. And the currency was illegal. And I was—that [ability to relate to their situation] was a shock. So that's actually my situation. I'm in exile. I'm not an immigrant, an economic migrant. I'm in exile. That label changes things a little bit.

Although since coming to Canada Nico had come to understand himself as a person in exile due to political violence, he did not have a strong claim for refugee status since he had not been directly targeted. Nico believed his best chance at permanent residence was to be sponsored by his Canadian partner, which he was pursuing at the time of our interview. However, processing delays and dependence on his partner for his safety had caused him to resent the sponsorship process. Realizing the commonalities between himself and recognized refugees amplified Nico's frustrations with the process of gaining permanent residence.

Several research participants told me that they preferred to avoid spousal sponsorship as a pathway to permanent residence. Mei's Canadian relatives had been encouraging her to do whatever it takes to get permanent residence, including finding someone local to marry. But Mei was troubled by how spousal sponsorship could affect a relationship: "I really believe in the power dynamics in the relationship. If I want to start a relationship I need to make sure we're equal. Not in every aspect...But I want to make sure that my status doesn't rely on the other person." I asked how Mei would feel if it the relationship started as a love match rather than a strategic match. She reiterated that she would prefer to stay in Canada on the basis of her skills: "I would still want to apply for PR using, as a specialist. Through my job. I would still feel it's unequal... Because I never know what's going to happen in the future. This as an excuse for our argument. 'You marry me just because I'm Canadian?'" Two other participants, Emil and Paul, had Canadian partners but had chosen to apply for permanent residence on the basis of their employment rather than through spousal sponsorship.

Commonalities across formal immigration status at the time of the interview were more apparent when examining people’s migration trajectory. Figure 1 shows that, of six participants who initially entered on a temporary visa, two had previous experience as a precarious migrant in another country, three had previously held some other form of precarious immigration status in Canada, three had protection concerns about returning to their country of birth, and all six were seeking to extend their stay. A similar chart for participants who had applied for refugee status in Canada would show similar diversity in their migration trajectories. Some had previously been international students and all were planning to enroll in Canadian universities if their refugee status was granted and they were able to pay domestic tuition fees.



**Figure 1: Migration Trajectory of Interviewees**

Among research participants, temporary visa holders and refugee claimants often had much in common in terms of English language ability, level of education, or motivation for migrating. This means that people who do not share a current immigration status might share a migration history, aspirations about future trajectory, and a level of urgency to find a way to remain in their chosen country of settlement since they share fears about return.

What varied among participants were the opportunities they had to enter and remain in Canada and how they evaluated their options if they had more than one. My findings resonate with research about people who hold temporary worker visas and refugee status that suggests that people negotiate status determination processes to achieve particular aims. Perhaps the most powerful example comes from Susan Bibler Coutin's (1998) research in which she documents how a lawsuit to challenge the exclusion of Salvadorans from fair access to asylum determination in the United States created new opportunities to gain temporary immigration status. While migrants are rarely able to remake laws or choose the conditions of their stay, they can sometimes choose how to navigate immigration regimes in ways that help them achieve their aims. Martin Ruhs and Bridget Anderson (2010) document that illegality or semi-compliance with visa restrictions may represent a strategy, albeit one under constrained choice, to achieve particular objectives such as security of presence, economic improvement, or social integration. They note that:

[discourses of victimhood overlook] the possibility that, for some, illegality may be the best of a (limited) set of options. It cannot simply be assumed, e.g. that illegal employment abroad automatically results in a degree of exploitation any

more extreme than that which would have occurred had the migrant remained in their country of origin. (2010, 198)

Like Ruhs and Anderson, Lin Axelsson et al. (Axelsson, Malmberg, and Zhang 2017), also found that precarious immigration status and work arrangements can be a logical choice to meet particular needs.

The similarities I identified in my research sample—between people making refugee claims and people with student visas, and between people with work visas and spouses of Canadian citizens—emerge from a small sample not representative of newcomers to Canada. I do not mean to suggest that many international students have protection concerns or that a high percentage of people can choose between permanent residence via work or sponsorship. Instead, I wish to draw attention to immigration status as an outcome of a negotiation in which people may have multiple options and submit themselves to be “seen by the state” in selective ways. It is therefore important to view formal immigration status as a product of a range of factors, including state policies and eligibility criteria as well the motivations, priorities, and resources people bring to the immigration process.

### ***Divergent Meanings of Immigration Status***

Immigration status is associated with bundles of rights and limitations, and a number of studies examine how those rights and limitations affect people who share an immigration status (Bhuyan et al. 2018; Hennebry 2012; Lacroix 2004; Nakache and Kinoshita 2010). However, I argue that experiences of immigration status vary because immigration status reverberates differently between individuals, as well as across time and space. Although immigration status functions as more than just a social relation to

the state, also being used in relation to housing providers, employers, and services among others, migrants are nonetheless embedded in a multiplicity of social relations, each of which may amplify, ignore, or protect a person from negative effects of restricted rights. This insight resonates with research in refugee studies critiquing over-reliance on the refugee label (Bakewell 2008b; Crawley and Skleparis 2018; Landau and Duponchel 2011; Zetter 1991), but it has not received significant discussion in studies of precarious immigration status. In this section, I begin by using geographical analysis to illustrate examples of variable experiences of immigration status across time and space. My research shows that particular events and spaces create difficulties or ease experiences of immigration status. Secondly, I compare and contrast the experiences of two individuals. The comparison suggests that immigration status is not a good proxy for vulnerability because people have different resources to meet challenges associated with limited rights and entitlements.

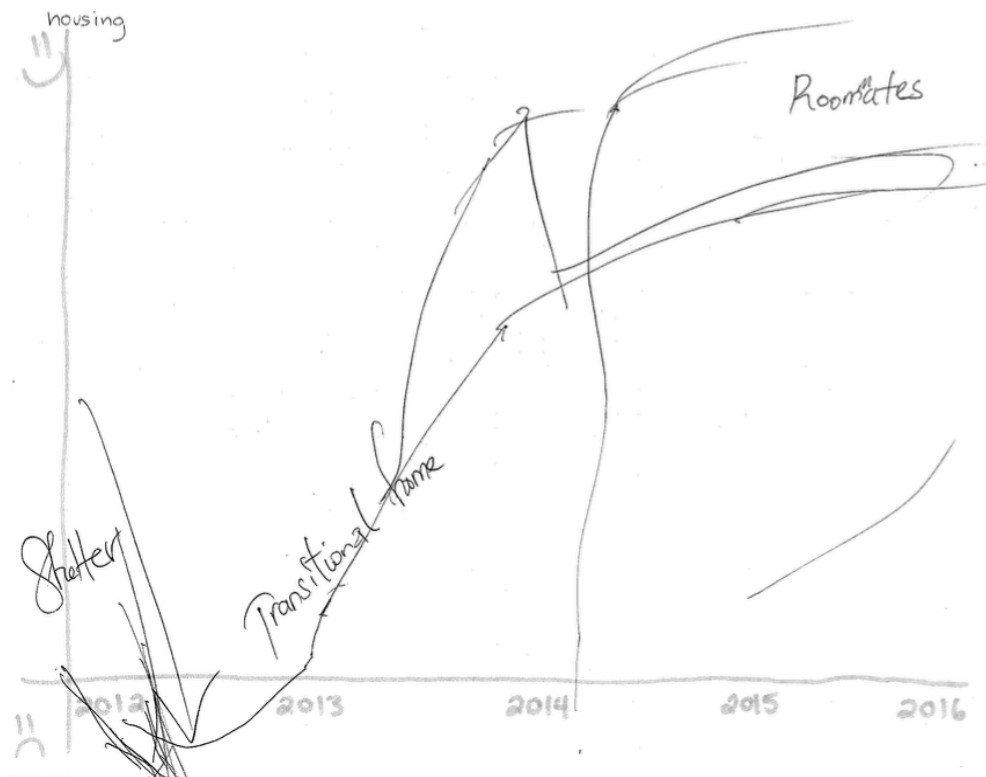
### **Variation across Space and Time**

Immigration status does not have one stable meaning. Rather, the effects of immigration status fluctuate depending on how formal immigration status intersects with other identities, capabilities, and life events. For some participants, precarious immigration status became more stressful over time, wearing them down. For others, precarious immigration status was more stressful at moments when it created challenges with respect to other timelines or processes, such as school years, job searches, treatment for health conditions, or visa expirations. Precarious immigration status also becomes particularly stressful at home, in crowds, or spaces where people anticipate possible gatekeeping of services that they value.

Antoine is a young man in his 20s from the Caribbean racialized as black. He came to Canada in 2012 to claim refugee status. His refugee claim was caught in the legacy backlog, meaning there are no clear timelines for when his case will be heard or decided. Antoine characterized his entire life in Canada as a refugee claimant as “below average,” but his experience was particularly difficult when he first arrived and, in the year before our interview, had deteriorated. Two of the things Antoine said he needed to be satisfied with life in Canada were a good job and good housing. The charts he made about his employment and housing help explain the temporal variations in his overall satisfaction (see Figures 2-4).

For Antoine, the most notable circumstances upon his arrival were living in a homeless shelter and oscillating between unemployment, underemployment, and exploitative employment. Homeless shelters do not offer much privacy, nor much control over living conditions. As Antoine drew the chart on housing, he narrated the progress of the line: “Down down down down down down down.” At one point, he interrupted himself to comment, “I need more space [to draw the line lower].” His struggles with housing were linked to immigration status, but there is room to negotiate the challenges of being a newcomer claiming refugee status to improve one’s housing conditions. It is common for newly-arrived refugee claimants in Canada to be housed in homeless shelters until they can find more stable accommodation. Once Antoine understood the local system and cleared the necessary hurdles—applying for a work permit and Ontario works, and eventually finding a job—it was more possible to find housing on the private rental market. After an initial period in a shelter, Antoine moved to transitional housing and eventually a shared apartment. He was able to exercise

greater choice in housing arrangements, neighbourhood, and roommates. At the time of the interview, Antoine was satisfied with his housing.



**Figure 2: Antoine, Satisfaction with Housing**

Antoine has experienced highs and lows in his employment history in Canada. His early jobs were largely low-skilled, low-paid work, and one employer failed to pay him for the time he worked. Newcomers to Canada often experience employment discrimination that segments them into precarious work arrangements (Fuller and Vosko 2007; Goldring and Landolt 2011; Vosko 2006). Through his links to a nonprofit organization, Antoine took on leadership roles that eventually translated into a short-term contract managing a program that he cared about. However, by the time of our interview, Antoine's short-term work contract had ended and he had moved back into precarious work. He was bouncing between low-paid positions with non-standard

employment relations such as private security and stocking shelves. He linked his precarious employment to immigration status, saying:

I go for a job interview and the person, they don't want to give you that job just, not because you don't merit it or because you don't have the qualifications, but because they think that you're not permanent in the country, you have a SIN number that begins with a 9...I've experienced things like that. Person is really nice throughout the whole process of an interview, and the moment you have to give your SIN number, the whole thing changes. They're just like, "Uhhhhh..." So.

The return to precarious work, along with the accumulation of harm associated with precarious immigration status, have negatively impacted his experience.

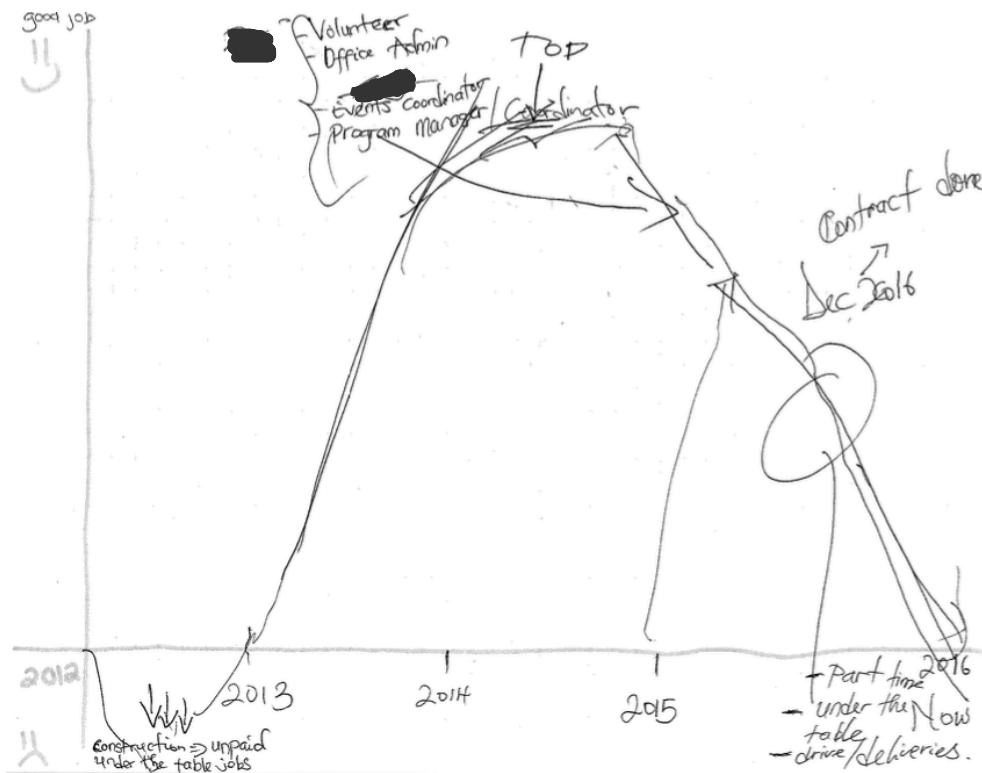
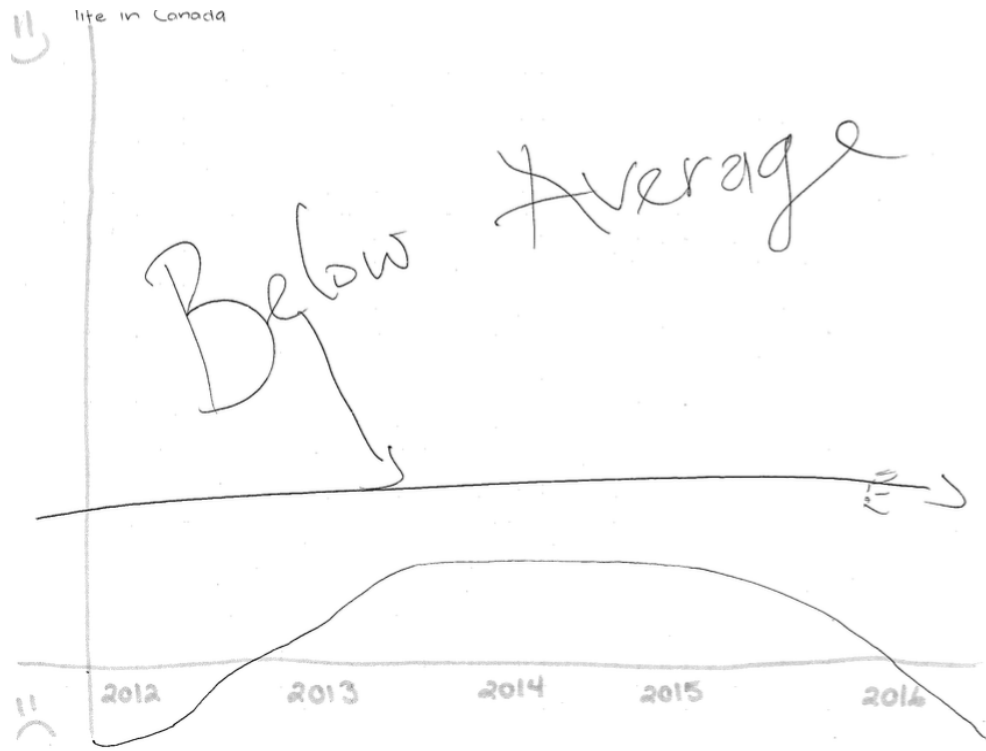


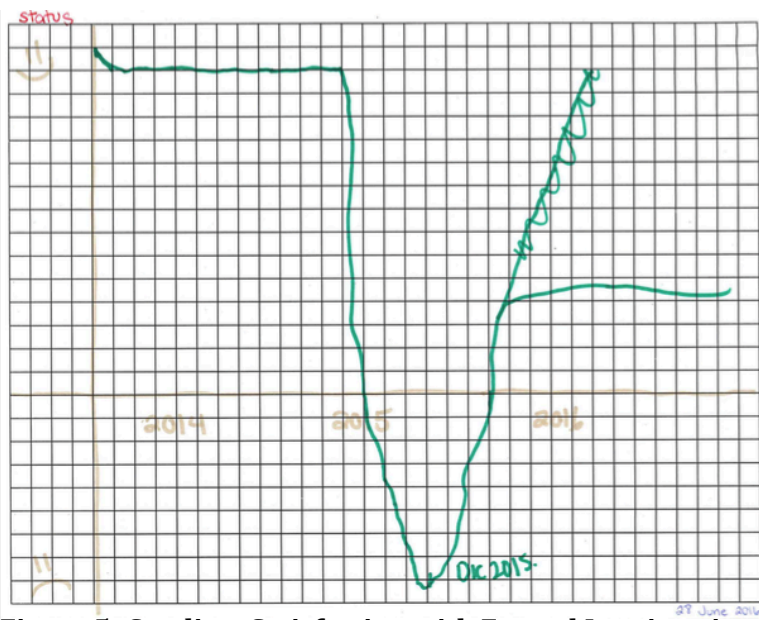
Figure 3: Antoine, Satisfaction with Work

Antoine characterized his satisfaction with life in Canada as fluctuating but nonetheless “below average” overall. As shown above, upon arrival, the initial challenges were the realities of living in a homeless shelter and his precarious employment. Over time, Antoine gained a better understanding of how to navigate housing and employment in Toronto and his social networks grew, alleviating some of the conditions that decreased his satisfaction with life in Canada. However, Antoine’s immigration status was still inhibiting him from forging a life that he understood to be livable. He reported encountering additional stress each year around the beginning of the school year. He was extremely eager to study. Antoine had periodically applied to university in the hopes that his refugee claim would be approved before the start of the academic year, allowing him to qualify to pay domestic tuition fees. But each time when the beginning of the school year comes and goes without enrollment, he again realizes he will lose another chance to study.



**Figure 4: Antoine, Satisfaction with Life in Canada**

Catalina, a young professional from South America claiming refugee status, had gradually adjusted to living in Canada with precarious immigration status. Like Antoine, the beginning was particularly difficult. What her timeline does not show, but became clear throughout the interview, is how her satisfaction is periodically undermined when she has to



**Figure 5: Catalina, Satisfaction with Formal Immigration Status**

go somewhere where she might face gatekeeping on the basis of her immigration status. Catalina has a young son who has a health problem that requires doctor appointments and, eventually, surgery. But when she attended appointments for her son, staff sometimes did not recognize her health insurance.

But the hospital is still telling me that I'm not covered and that I need to pay...But there is a lot of things [like with the doctor, where] I feel like my life stopped in one moment...Sometimes I talk with [director of support agency] or other people who know about that. They tell me, "No you're covered...It's a right! You can go." But I *know* it's a right, but how are they going to understand? If they tell me "no you can't," what am I going to do? I know it's my right, I *know*. Maybe they are doing wrong [by denying me], but I don't have power to explain [to] them.

For Catalina, the problem was not her lack of rights, but her uneven ability to access those rights, the distinction between having, knowing, and claiming rights (Heimeshoff and Schwenken 2013). Eligibility on paper is not helpful unless they are given access to that care in practice.

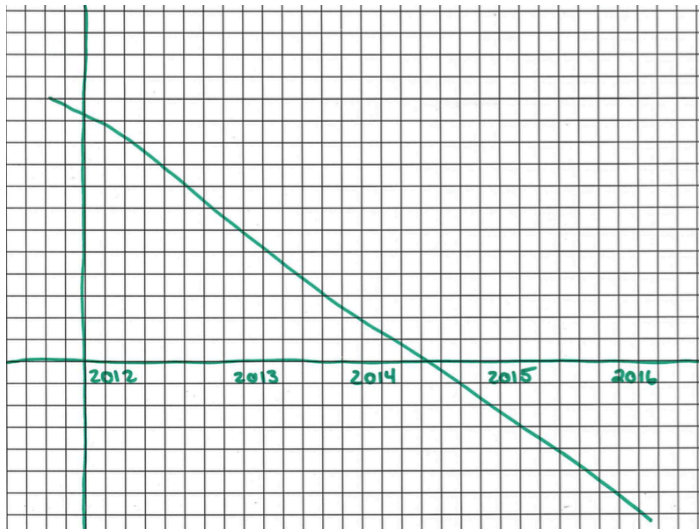
Because of several negative experiences in which people acted as gatekeepers, denying her son access to health care, Catalina reported increased anxiety before going to any service where her immigration status may be checked. She understood that her rights are decided by others outside of herself. Catalina found it particularly difficult when gatekeeping interfered with her son's access to health care. She felt he was being disadvantaged by her need to flee her home country, making her feel guilty for how he bears the effects of a situation into which he had no input. Catalina told me she would mind less if she were prevented from seeing the doctor, but it was hard for her to see

her son's health compromised. Catalina frequented and felt comfortable in many public spaces, from schools to libraries to buses, where she did not feel her immigration status was a barrier, but she did feel uncomfortable about her immigration status in doctors' offices and hospitals.

Asmaa began her time in Canada excited about the prospect of starting a new life in the country she hopes to settle in permanently. Before coming, Asmaa researched countries with a good pathway from student to citizenship. Asmaa chose Canada specifically because she believed the process would be easy. She arrived excited for her studies and ready to work towards her goal of becoming a citizen. But since moving to Canada, Asmaa experienced social isolation, discrimination, and changes in the policy that have lengthened the time required to become eligible for permanent residence and citizenship. Her satisfaction with her immigration status has declined as her experience of settlement, both socially and legally, has been more difficult than expected. Used to a more intimate style of conversation and friendship, Asmaa explained,

When I first arrived to Canada, I was like, "I'm not going to be that kind of Arab who sticks with the Arab community. I want to be Canadian. I want to see the people who have lived here for generations. I want to experience that, I want to mingle with that." But I find people to be private, kind of reserved. They don't share experiences as much as I'm used to... I feel it's closed off to me. No matter how nice people are, I don't feel it's genuine sometimes. I feel at a loss. What am I supposed to do? How can I feel included?

Thus, her initial dissatisfaction related to unhappiness with her day-to-day social interactions rather than the pressure to secure permanent status, even though citizenship was a priority for her.



**Figure 6: Asmaa, Satisfaction with Life in Canada**

As the challenges to realizing permanent residence became clearer and more proximate, stress about immigration status played a far greater role in influencing satisfaction with life in Canada for Asmaa. Having lived most of her life in exile and at risk of being forced to return to a country where Asmaa

and her family would face hostility and discrimination based on religion, among other factors, Asmaa chose to come to Canada as part of a sustained plan to achieve stability and certainty. Long-term, secure immigration status was an object of desire because Asmaa knows what it means to live without it. She investigated pathways to citizenship in various English-speaking countries before enrolling in a graduate program in Canada. Based on her research, Asmaa expected the path to citizenship to be slightly longer than in Australia, but she also anticipated less discrimination and xenophobia in Canada compared to Australia. But the reality has been far different than what her research had suggested.

During her studies, Asmaa remained attentive to changes in policy so she would have the knowledge she needed when her student visa expired. In 2015, the Canadian

government enacted changes to citizenship eligibility, no longer allowing time spent on a temporary visa to count towards the residency requirement and increasing the language requirement. With these changes, Asmaa realized her path to citizenship would take longer than expected. Even more significantly, though, the changes to citizenship made Asmaa aware that eligibility rules were subject to change. This undermined Asmaa's sense of security in Canada. "[B]efore coming here, the process looks fairly straightforward. You come here and you realize you're spending a good six, seven years out of your life pursuing that goal of citizenship. It's not a short period of time, once you go through it." The experience of putting herself in a position to apply for permanent residence and to actually apply were not what she expected. After completing her graduate studies, Asmaa applied for a post-study work permit and began looking for jobs in her field that would qualify her for permanent residence, but found the labour market saturated.

There's a lot of talented people looking for a job, everyone's looking to publish, everyone's looking to do something. So why would you hire the foreigner when you have someone with Canadian experience, which is considered very important? ... I would have imagined my master's would have opened more doors for me, but it didn't, really.

Compared to other job seekers, Asmaa faced additional pressure because both her presence in Canada and thereby her long-term safety were at stake. Eventually Asmaa qualified for Ontario's Provincial Nominee Program, and her application was pending at the time of our interview. For Asmaa, the unexpected changes in policy and job market difficulties gave her a sense that she might not be able to achieve the permanent status

for which she had come to Canada. While Asmaa had arrived expecting that she would be able to get citizenship, her certainty in that future was undermined over time, leading to increased worry and urgency associated with gaining permanent residence and eventually citizenship.

In the above examples, participants experienced significant changes in their satisfaction even though their immigration status remained the same. Immigration status had different meanings throughout their life in Canada depending on how it affected areas of life such as family, housing, education, access to health care, and professional advancement, as well as how secure they felt in their pathway to a more permanent status. Antoine was more worried about immigration status when his status interfered with finding skilled employment and enrolling in university. Like Antoine, Asmaa particularly struggled when looking for work, but also as she paid attention to changing immigration policies. Catalina's worries were intensified at doctors' offices where doctors and staff might not recognize her eligibility for treatment. Some people learned how to negotiate some of the challenges associated with immigration status over time, for example Antoine finding better housing, and became more adjusted to living with precarious immigration status. On the other hand, others were negatively affected by conditions, either periodic or persistent, that they could not work around, such as employment discrimination or social isolation.

### **The Limits of Using Status as a Proxy for Vulnerability**

Because formal immigration status is associated with different levels of rights and entitlements, it can be a source of vulnerability. People with the fewest institutionalized supports such as refugee claimants, workers tied to a single employer,

or people without formal immigration status are frequently referred to collectively as being vulnerable (Bhuyan et al. 2018; Carlaw 2017; Goldring and Landolt 2013; G. Pratt 2004; Tungohan 2018). However, my research shows that immigration status alone does not explain the actualization of negative outcomes associated with vulnerability. Negative outcomes are also affected by people's capacities, needs, communities, and social networks, where they may find support or experience harm beyond that which is inscribed in immigration law. In this section, I compare the experiences of Rocío, a woman from Mexico, and Nico, a man from Venezuela. Rocío and Nico have similar demographic characteristics and immigration trajectories. Although Rocío fell out of status and Nico did not, he has struggled to have his rights recognized and is in a difficult relationship, leaving him more vulnerable in practice than Rocío. The purpose of this comparison is not to argue that formal rights do not matter; they do. Instead, the purpose is to show that people are embedded in multiple types of social relations, including but not limited to formal immigration status, and that these social relations intersect in important ways.

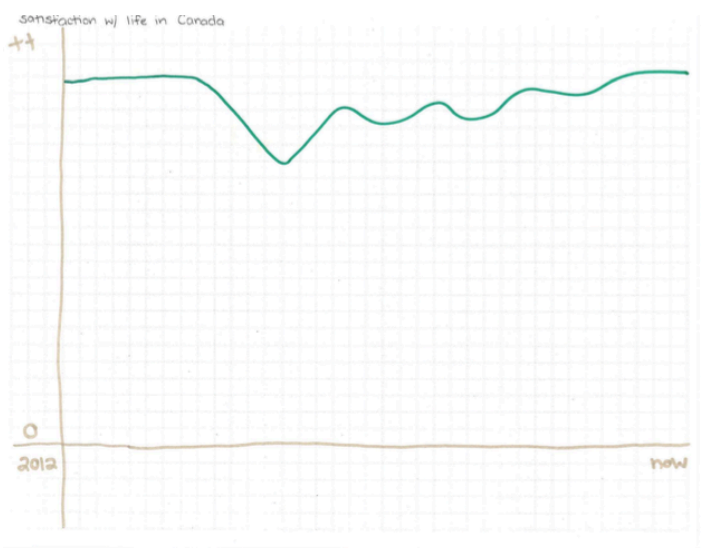
Rocío and Nico are similar in age (late 20s, early 30s), both educated beyond high school, and both speak English well. Rocío and Nico came to Canada on international student visas, Nico in 2009 and Rocío most recently in 2012. Both gained work experience in Canada and wanted to live permanently in Canada. Both fell in love with Canadian citizens while they held valid visas, and their partners subsequently sponsored them for permanent residence. They lived with their partners and led lives that they described as typical for young adults in Toronto. Rocío volunteered regularly at a nonprofit organization and spent evenings and weekends with her partner and

sometimes also their mutual friends. Nico characterized his everyday life thusly: “I have the average urbanite, normal life. I have an AGO membership...I go to movies once and a while...Whenever I can afford, I go catch a band.” When I interviewed Rocío, she had recently received a letter stating that she met the requirements for permanent residence. At the time of my interviews with Nico, he was waiting for the outcome of his application for permanent residence. He emphasized that the wait time had nearly tripled since he had initially submitted the application, meaning he was awaiting the outcome of the application significantly longer than expected.

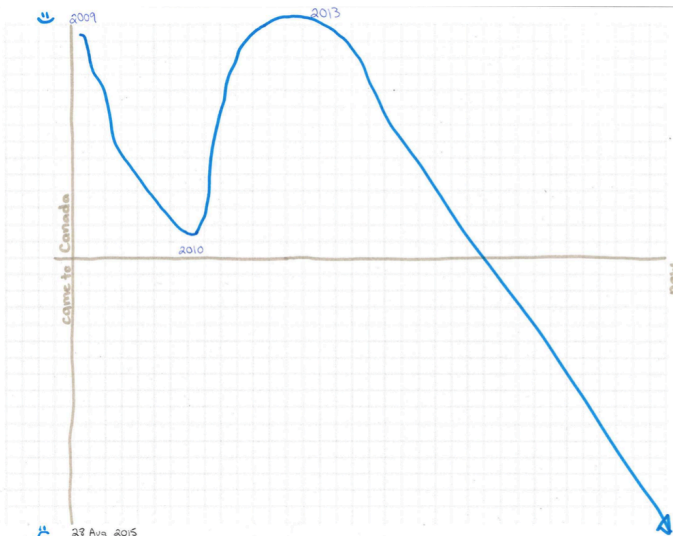
Although their paths to permanent residence have been similar, there were important differences. Nico’s application for permanent residence was made before his previous visa expired, meaning he held implied status, whereby the conditions for his previous visa were preserved. He had a right to be present in Canada during the processing of his application and could apply for a work permit. Rocío had initially hired an immigrant consultant to help her apply for permanent residence. The consultant submitted only partial documentation before absconding with her money. By the time Rocío realized what had happened, got her passport back, and submitted a complete application for permanent residence, her visa had expired, and she had fallen out of status. For the duration of her application for permanent residence, Rocío had no right to be present or work in Canada. She left her two jobs and was unemployed.

The cases of Nico and Rocío illustrate how little immigration status tells us about their situation. Rocío had fallen out of status, meaning she was illegalized and subject to deportation. By contrast, Nico’s formal authorization to remain was preserved, and he had limited rights extended to those with temporary visas. If one uses immigration

status as a proxy for circumstances and vulnerability, it appears that Nico enjoys greater security and rights than Rocío. Yet their situation was, in fact, the opposite. This can be seen by looking at their very different timelines reflecting satisfaction with life in Canada:



**Figure 7: Rocío, Satisfaction with Life in Canada**



**Figure 8: Nico, Satisfaction with Life in Canada**

Nico was quite openly suffering from uncertainty about the future. He was angry and bitter that the immigration system had put him into such a difficult situation, and even

more upset that long wait times had stranded him in these circumstances for longer than what he perceived as bearable. In contrast, while Rocío had faced setbacks, experiencing frustration and isolation when she had to quit her jobs, overall she said she has been “very satisfied.” The different assessments of their lives in Toronto reflect the ways they felt affected by their immigration status, leading to quite different material, social, and emotional circumstances.

Rocío benefitted from strong social ties and institutional supports, as well as a general sense of less at stake in the process of seeking to remain in Canada. She lived with her partner, who worked a full-time job. They were able to pay their bills and meet their needs while Rocío was unemployed, though Rocío was often home alone and lonely. Rocío looked for volunteer opportunities to help fill her time with meaningful activity. After talking with someone at a settlement service agency about the immigration application, Rocío realized she would need to leave her job and that she would need a plan to stay busy and prevent isolation. She decided to look for a volunteer position. Initially, several organizations were unwilling to accept a volunteer who lacked authorization to remain in Canada. “I remember I applied for other volunteer jobs and they didn’t want me to volunteer because I didn’t have status. So it was very harsh, very hard for me.” Rocío found it difficult to hear herself being characterized as an illegal. But eventually an organization oriented towards migrant justice accepted her as a volunteer in an administrative role that made use of some of her qualifications. “If it’s going to take a year, at least this year volunteering will be good on my resume. Because there is not a big gap of one year on my resume, so now I can put I was volunteering for a year. That is how I saw it. That way. And it worked out.” Rocío and her partner had a number of

friends with whom they spent free time. Rocío explained the process of living without status and applying for permanent residence as a big challenge, but one they faced together:

We have a very mature and good relationship. But it was stressful—it gets stressful at the end...I was telling my partner, sometimes I was like, “Is it worth it to be here? I’m not doing anything. When I can be back home, and because I have a bachelor’s degree, I’m sure I can find a job easily.” So there were some times when I was, how do you say it? I wasn’t sure if it was worth it to stay here. But because I love him, I stay. And the same for him, right? Because he can easily find another person that he doesn’t have to go through the process and everything. But I guess, at the end, the love is what kept us together.

Although Rocío did not have access to OHIP, her parents had bought her a travel insurance policy, meaning access to health care was not a cause of major concern. When asked what she would do if her application for permanent residence were refused, Rocío said it would be difficult, but she knew she could go back and live with her family in Mexico.

Nico’s day-to-day circumstances were much more difficult. He fell in love with a Canadian who sponsored him for permanent residence. However, since submitting their application the relationship had become strained. The causes of the strain were not directly related to the sponsorship application, but his dependence on her for status exacerbated that strain. Nico felt it was difficult to talk to his partner openly and honestly about aspects of the relationship that were not going well. He did not want her

to think that he was using her for status, but he was also afraid to return to Venezuela and could not risk having the application for permanent residence refused.

[T]ry having an argument with your girlfriend when your girlfriend could have you deported. [Emotional exhale] Luckily my girlfriend is a really good woman and I don't think she would, but she could. So that imbalance is really, really toxic. For me and for her. It's uncomfortable for either party...Because the other party is constantly wondering, well do you hate my guts and you're pretending that you don't hate my guts? Or what the hell is this about? There's always this, "Even if I believe your intentions are genuine, I know some other men would have dumped me by now, but you haven't, so what the hell is this?" It's weird.

Although he was entitled to a work permit, Nico's application had been pending for more than twice the expected processing time. Nico was very skeptical about being treated fairly by government officials, and he assessed his chances of getting a work permit as extremely slim. Instead of following up on the outstanding work permit application, Nico instead assumed such enquiries would be unsuccessful. He worked a few cash jobs and although he enjoyed his work, Nico wanted a more stable and professional role, but such a job would require a work permit.

The example of Rocío and Nico, two individuals with similar migration trajectories but different formal immigration statuses and thereby different bundles of rights, demonstrate that holding a more privileged immigration status does not necessarily lead to higher levels of security and lower levels of vulnerability. In this example, Nico felt much more vulnerable than Rocío because he had had difficulty accessing the rights to which he was entitled and his social support systems were not

meeting his needs. Together, these factors were making his everyday life very difficult. At the same time, Nico feared returning to Venezuela, meaning he felt trapped in the circumstances that were making his life difficult. Rocío lacked access to forms of government support, both in law and in practice, but had access to social support that helped ease the burden of living without formal authorization to remain. Furthermore, she was confident that her permanent residence would be approved, and thus she knew she was living with restricted rights for a clearly defined period of time. The comparison shows that seeing people through the lens of immigration status can obscure more than it reveals unless immigration status is understood as nested into a larger picture of social relations and support systems.

### ***Conclusion***

In this paper, I define immigration status as a policy category and a social relation to the state that arises from a partial way of seeing, produced by the state in order to realize state aims. It defines formal membership in a single state, and that membership or lack thereof is productive of identities and subjectivities. Yet so, too, are other social relations in which people are simultaneously embedded and the capacities people have and develop over the course of their lives in Canada. Migration and settlement trajectories are affected by a wide range of factors beyond immigration status, including access to rights in situated social practice, protection concerns in their country of citizenship, and family and community support. I have argued that formal immigration status offers only a limited picture of people's motivations, capacities, subjectivities, and vulnerabilities. People with similar qualifications or motivations for migrating may end up with different immigration statuses. Immigration status is experienced differently

between people and across time and space. Therefore, I argue that migration studies scholars must be cautious in how they deploy formal immigration status as a frame for research questions, recruitment, and analysis.

## Chapter Five: Learning to Live with Uncertainty: Temporal Geographies of Precarious Immigration Status

What do you do with time, if you're not building a future? I don't know.

-Golnaz Hashemzadeh Bonde, *What We Owe*

Increasing processing times for immigration applications and growing numbers of people admitted with temporary immigration status mean that more people spend longer periods in Canada with precarious immigration status (Macklin 2014a; Simmons 2010; P. Villegas 2014; Vosko, Preston, and Latham 2014). Precarious immigration status has been understood as a form of non-citizenship, characterized by deportability and less-than-full access to rights and social supports (De Genova 2002; Goldring and Landolt 2013). I use the term precarious immigration status to refer to a condition in which formal immigration status creates a sense of insecurity. In this paper, I draw attention to the relationship between precarious immigration status and uncertainty about the future.

Uncertainty generates distinctive foldings of the future into the present, affecting how people evaluate what actions are possible, meaningful, and worth investment of limited resources in the present (Ben Anderson and Adey 2012; Bourdieu 2000). The ways people navigate such choices in the present then affect future possibilities. I investigate the temporal orientations of people with precarious immigration status in Toronto: how they allocate emotional and time resources, as well as the factors that disable or enable particular courses of action. Like Sharika Thiranagama's (2011) work on war in Sri Lanka, in which she studies how war shapes people's decisions about directing their efforts, I consider how uncertainty caused by precarious immigration status figures into the work of clarifying one's projects and priorities.

This research identifies two salient temporal orientations I observed among research participants living with uncertainty: either suspending or embracing engagement in everyday life. In the first approach, people avoid emotional investment in local ties and activities, putting many aspects of their lives on hold until they have a more secure future in Canada. By contrast, the second approach involves investment in everyday life and a willingness to work towards place-specific goals.

Both ways of living with uncertainty entail risks because both, in their own ways, cause people to encounter a gap—the gap between that which they desire and that which they can actually achieve in the context of precarious immigration status. This gap, produced by immigration laws and practices, constitutes a form of violence, what Susan Bibler Coutin calls “the violence of being not quite there” (2011). When people suspend engagement, the gap is encountered frequently as people repeatedly turn away from things they know they want. They do so because they expect to be denied or because they fear losing place-specific objects of desire if they are forced to return. The result is a highly circumscribed everyday life marked by isolation and lack of progress towards one’s goals. When people embrace engagement, they build an everyday life that feels more like what they understand to be a “livable life” (Butler 2004b). The gap narrows, its prominence reduces. But the gap remains. When people embracing engagement are refused access or otherwise reminded of the limitations associated with their precarious immigration status, the gap is exposed; its endurance is affirmed.

I argue that people with precarious immigration status make an effort, whether tacitly or intentionally, to balance the risks and benefits associated with these two temporal orientations. Furthermore, the research shows that participants’ decisions

about how to navigate everyday life and the future were complicated by uncertainty about the duration of their precarious immigration status. Changes in immigration application processing times and immigration laws in Canada, and sometimes changes to participants' life circumstances, meant that most participants held precarious immigration status for longer periods than expected. During this period, people experienced a learning curve to find ways to live with uncertainty and engage with the present/future that worked for them.

Temporal orientations may appear intangible, a peripheral concern compared to the material effects of precarious immigration status. However, an emerging body of literature shows that temporal orientations figure prominently into how people express the anguish caused by immigration control, both in Canada and elsewhere (cf Brun 2015; Jeffrey 2008; Rotter 2016; P. Villegas 2014). Furthermore, people's temporal orientations alter their settlement trajectories and possible futures. Evidence suggests that the negative impacts of long periods of precarious immigration status in the receiving country continue to haunt the settlement process even after people are granted permanent status, affecting well-being and job prospects (Lacroix 2004; Goldring and Landolt 2011; Simich 2010; Tungohan et al. 2015). Indeed, temporalities are key to how Avery Gordon conceives of haunting, "when the over-and-done-with comes alive...Haunting raises specters, and it alters the experience of being in time, the way we separate the past, the present, and the future" (Gordon 2008, xvi). A deeper understanding of temporal orientations, therefore, has implications for making immigration policies that support successful settlement.

The paper opens with a brief discussion of method before examining the concepts of uncertainty, waiting, and time and how they have been used in the field of migration studies. I then turn to the empirical data, analyzing the role of uncertainty in the lives of participants and providing case studies of individual's temporal orientations. Lastly, I analyze the power relations and particular geographies of suspending and embracing engagement.

### ***Methodology***

The data presented here derives from interviews and one focus group with 18 adults who self-identified as living with precarious immigration status in Toronto for two or more years, along with 13 interviews with 15 people who work on migration issues. Most people were interviewed once, but two participants were interviewed twice. I use precarious immigration status not to refer to a set list of formal immigration statuses, but rather to a sense of oneself as precarious due to the restrictions associated with formal immigration status. I emphasize self-identification with precarity rather than formal immigration status because people who share an immigration status may experience that status differently. For example, members of the global elite may feel secure in spite of holding a temporary visa because they may have more rights, stronger support networks, a higher income, or a higher chance of becoming permanent residents than others who hold a work permit (Rajkumar et al. 2012). My sample includes people claiming refugee status, people with short-term visas (work or student), and people whose visas have expired. Although a few participants had expired visas or had previous experience with losing formal authorization to remain in Canada, all participants were actively in contact with Immigration Refugees and Citizenship Canada (IRCC). The

specific rights and entitlements, as well as the likelihood of being granted permanent residence, vary among participants, but all shared the condition of deportability and uncertainty about the future.

Throughout the paper, I use the terms person or participant to refer to those interviewed about their personal experience settling in Canada. I use pseudonyms for everyone. To improve clarity, I assigned first names to migrant participants and initials to those who work on migration issues. Following the insights from feminist scholars, I view knowledge as subjective, situated, and partial (Dyck and McLaren 2004; Haraway 1988). What I present here is my interpretation of data that participants and I co-constituted at a particular moment in participants' lives. What they shared with me relates not only to the questions I asked, but participants' mindset during the interview, their decisions about what to share, and how they understood me as a person with whom they could be forthcoming about particular issues. I ask the reader to remain open to possibilities that participants' experiences mean different things to them at different times and that the representations here are necessarily incomplete.

### ***Uncertainty, Time, and Waiting***

Uncertainty is not unique to people with precarious immigration status. Scholars characterize late modernity as a period in which people are coming to reckon with the tensions between the potential to "enjoy a secure and rewarding existence" (Giddens 1990, 7) and the realities of risk and uncertainty. A widening of choice in many areas of life, an accelerated pace of change, and a hollowing out of social support systems mean that the future is radically open and unknowable (Beck 1992; Harvey 1989; Melucci 1998; Reith 2004). At the same time, responsibility for forms of well-being is being

downloaded onto the individual. People must engage with the future—for, as Alberto Melucci observes, “it is impossible not to choose. Even non-choice is a way of choosing” (1998, 181)—and be responsible for the outcomes of their decisions. But they do so without confidence in a link between actions in the present and outcomes in the future (Bourdieu 2000; Giddens 1990; Reith 2004).

Scholars have highlighted the uneven distribution of forms of precarity, including uncertainty and experiences of time. Subaltern populations face uncertainty within more dimensions of life and do so with fewer supports (Bayart 2007; Beck 1992; Bourdieu 2000; Butler 2004a; Jeffrey 2008). Although numerous biological and social processes remain out of control for all people, continuity between past, present, and future, along with the ability to act strategically, is related to power, capital, and social class. For example, the uncertainties associated with precarious immigration status are produced by laws that have increased barriers to gaining permanent residence and limit access to social supports.

Pierre Bourdieu argues that time is only experienced when it has been unsettled: “when the quasi-automatic coincidence between expectations and chances, *illusio* [investment in the social game] and *lusiones* [the probabilities of fulfillment]...is broken” (2000, 208). Thus, uncertainty plays an important role in experiences of time and decisions about how to act in time, what I refer to as temporal orientations. Nicholas De Genova writes that deportability, a key condition of uncertainty among those with precarious immigration status, enforces an “orientation towards the present” (De Genova 2002, 427). But uncertainty also disrupts the present because the past and future are always already accounted for in present. “The present is the set of those

things to which one is present, in other words, in which one is interested (as opposed to indifferent, or absent)...it encompasses the practical anticipations and retrospections” (Bourdieu 2000, 210). If one is disinvested in the future or cannot rely upon practical anticipations, it is difficult to engage with the present.

People with precarious immigration status experience uncertainty in at least two dimensions: uncertainty about whether they will be able to remain in Canada and uncertainty about the duration of their precarious immigration status. The latter, uncertainty about duration, configures the former. Contra Luin Goldring (2014), who suggests that temporariness may be seen as one limitation among many inscribed by precarious immigration status, I argue the distinctive temporalities of precarious immigration status modify and are modified by the other limitations associated with precarious immigration status. It is one thing to live with circumscribed means for two months and quite another to do so for two years or indefinitely (Durieux and McAdam 2004; Hyndman and Giles 2011). Similarly, uncertainty about the future may be less urgent for those who enjoy strong support systems in the present, in which case one may anticipate that a future of continued uncertainty can be endured.

Waiting constitutes yet another way immigration policies exert control over people (Bailey et al. 2002; Cwerner 2004; Khosravi 2014; Schwartz 1975). People with precarious immigration status often describe themselves as waiting for their precarity to come to an end (Brekke 2004; Brun 2015; Jeffrey 2008; Rotter 2016). This might involve waiting to become eligible for a particular visa (e.g. acquiring skills and experience or accumulating time) or waiting for the outcome of a pending immigration application. These forms of waiting are on the rise in Canada as more people enter

Canada with temporary visas rather than permanent residence and wait times for many immigration applications steadily increase.

Although migrants sometimes use the language of waiting to describe time and activities suspended, these periods of waiting are, in fact, often very busy and rife with potential (Bissell 2007; Brun 2015; Jeffrey 2008). Time can be used as a tactic. People may strategically use time spent with precarious immigration status to work towards their goals (cf Allsopp, Chase, and Mitchell 2015; Axelsson, Malmberg, and Zhang 2017). For example, education, work experience, and strong local ties may improve people's own lives and can become the basis for future applications for a visa or permanent residence. Time spent working in Canada can help people save money or send remittances to loved ones abroad. Joseph Carens (2003; 2010) argues that formation of local ties ought to be key in decisions about who may remain. He points out that many countries have immigration applications that recognize ties to the community as strengthening a claim to formal membership in the form of permanent residence.

Nonetheless, wait times and uncertainty about duration of precarity remain a function of power and a source of violence. Waiting represents a form of submission within the social game (Bourdieu 2000, 228). Time without permanent residence or citizenship disciplines people into adopting the role of the model worker and citizen: more productive, pliable, and passive than people who hold formal citizenship (cf Mountz et al. 2002; Mountz 2010). If waiting is imbued with power, uncertainty of the duration is even more so. Barry Schwartz (1974; 1975) argues that ignorance about the duration of a wait is an extreme punitive sanction. And for Bourdieu, "Absolute power is the power to make oneself unpredictable and deny other people any reasonable

anticipation, to place them in total uncertainty by offering no scope to their capacity to predict” (2000, 228). The ability to create uncertainty and make a person wait as long as *illusio*, investment in the social game remains, is therefore an exercise of power. For people who wish to stay in Canada, such investment is difficult to avoid.

Scholars studying refugee and temporary protected status have increasingly noted the production of uncertainty and waiting within regimes of immigration control. They highlight the tensions between legal arrangements intended as temporary that prove to be prolonged and indefinite (Bailey et al. 2002; Coutin 1998; De Genova 2002; Hyndman and Mountz 2007; Lacroix 2004; Menjívar 2006; Mountz et al. 2002; Stewart 2005). This work has built the foundation upon which to take uncertainty and waiting as explicit objects of study. Much of the subsequent studies about migrants’ experiences of uncertainty comes from two special issues, one on waiting and im/mobility in *Gender, Place, & Culture* and another on uncertainty among refugees in *Social Analysis* (Conlon 2011; Horst and Grabska 2015), along with several other works on detained and non-detained refugees (Allsopp, Chase, and Mitchell 2015; Bosworth 2014; Brekke 2004; Erciyes 2016; Rotter 2016; Turnbull 2016). I contribute to this literature by examining uncertainty in a new context, that of people with precarious immigration status in Canada (for another article on uncertainty in Canada, see P. Villegas 2014). Doing so reinforces the global scale of the problem. Uncertainty is faced not only by refugees but also by migrants with a wide range of formal immigration statuses, and it occurs even in countries with less apparently punitive immigration policies. My research also contributes by showing how two forms of uncertainty—about future stay and about

duration of precarity—interact, making it difficult for people to find ways to cope well with the violence of being not quite there.

### ***Encountering Uncertainty and the Present/Future Disconnect***

People with precarious immigration status live with circumscribed material conditions—limited access to settlement services and health care, as well as heightened vulnerability to exploitative employment and poor working conditions in Canada (Fudge and MacPhail 2009; Hilario et al. 2018; Nakache and Kinoshita 2010; G. Pratt 2004; C. Rousseau et al. 2008; Steele Gray et al. 2010). At the same time, they face two kinds of uncertainty: uncertainty about whether they will be able to remain in Canada and uncertain when the question of their future will be resolved. These forms of uncertainty disrupt the connection between present and future and interfere with a sense of progressive time. In this section, I examine in more detail how uncertainty is produced in the Canadian context and how participants are affected by that uncertainty.

Both forms of uncertainty are inscribed into Canadian immigration laws and practices of law in a variety of ways. Over the past twenty years, Canada has moved away from granting most newcomers permanent residence upon entry, increasing the number of people who enter on temporary visas (Goldring and Landolt 2013; Macklin 2014a; Rajkumar et al. 2012; Valiani 2013). Immigration programs and eligibility criteria are also increasingly subject to change, making it difficult for people to anticipate the requirements of their trajectory from temporary authorization to permanent residence or citizenship (Nakache 2015). In the past ten years, there have been significant changes made to the live-in caregiver program, family sponsorship, the refugee regime, and the system of admitting skilled workers (Alboim and Cohl 2012;

Banerjee et al. 2017; Reynolds and Hyndman 2014). The changes also affect the security and duration of migration trajectories. The Conservative government introduced conditional permanent residence to people who immigrated as sponsored spouses, raised the length of time needed to become eligible for citizenship and instituted a four-year cap on working in Canada for many temporary workers (Alboim and Cohl 2012; Nakache 2015). The introduction of a new system to process refugee claims was supposed to reduce the time from application to initial decision, but it left legacy cases with no established timeline for processing, and new applications are now building into yet another backlog (Atak, Hudson, and Nakache 2017).

Participants reported that they felt as though they were carrying their precarious immigration status around with them and that status seeped into multiple dimensions of life. Nico told me that for him, the uncertainty lingered, unwelcome but omnipresent: “It’s like in Windows, in Windows you have hidden processes. There’s something running in the background that just never goes away. And it never goes away.” This sentiment was shared by Antoine. He said that precarious immigration status creates a state of mind. When I asked him to explain that state of mind, he said, “it’s just feeling that, ‘Oh, shit, I’m not permanent here.’ That’s it...It’s a big barrier.” Although levels of uncertainty about the future varied among participants, they used similar terms to describe the ways uncertainty affected them and altered the affective textures of everyday life.

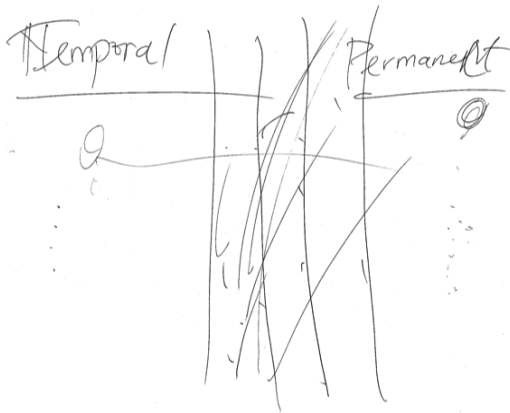
Three salient aspects of carrying around immigration status were uncertainty, waiting, and a sense of time as suspended. For participants, immigration policies made it very difficult to engage with the future, either because they find it difficult to imagine a

future version of themselves outside of the limitations of precarious immigration status or because they find it challenging to work towards a future due to uncertainty. As Emil said, “I think that’s my biggest issue because of how short-term everything has been. I couldn’t relax to think about that.” In many interviews, asking participants about their goals for the future elicited the most emotional responses of any topic we covered. This was perhaps most apparent in my interview with Antoine. He struggled to articulate a robust sense of himself or his life in the future, but he was uncomfortable leaving it unarticulated. Antoine felt a disconnect between his inner self and the parts of himself he was able to express and nourish in his everyday life. He wanted something dramatically different out of his life that was, due to limitations associated with his immigration status, unattainable. After living several years without a low probability of fulfillment of his goals, his vision of the future had become obscured:

Honestly, there’s so many things that I know that I would do. That I’m not trying to...I don’t want to sound like I’m thinking about it now [for the first time]...They’re not in my mind now. But I know that once I have it, I’m going to be...Okay, it’s like there’s a bridge. It’s like there’s a bridge. [He begins drawing a bridge on the graph paper I brought for a timeline photo elicitation exercise.] I’m on this side of the bridge [drawing a circle on the left], the temporary. And this side is permanent. So there’s this big bridge here. What is this? I’m talking about a really big bridge.

Words could not sufficiently capture the extent to which the future had been rendered beyond comprehension and the effect that limited vision has on him. Instead, Antoine

relied on drawings and gestures to make his



**Figure 9: Antoine, The Bridge**

point. He reached for one of my papers and quickly sketched for me a bridge to emphasize the size of the bridge and its effect on his view of the future. He began to jab the point of the pen onto the paper repeatedly, jabbing so hard that the sounds drowned out his next sentence on the interview recording. The exchange with Antoine demonstrates how the profound level

of uncertainty produced by precarious immigration status disconnects people from their futures.

Participants in this study reported ways in which they were unable to realize a sense of progressive time, in which one's activities build upon the activities that preceded them, in part due to activities in which they could not engage. AG, director of a counseling program, explained that without access to a sense of progress and control over that progress, migrants feel powerless. "People feel they can't plan [because if] they catch you and deport you, all is lost...People feel like they can't develop. Because they can't take courses, they can't buy things, they can't think of the kids' university. So they're stuck." For activities tied to age and life course, this can mean missing out on specific activities or stages entirely, significantly altering life course and future possibilities. All participants expressed pain or frustration that they attributed to immigration status. In some cases, that pain related to how the state exercises a spectacular degree of control over the most intimate aspects of their lives, down to making friends, committing to partnerships, and starting families. Nico, one of the

participants most vociferous in his denunciations of how immigration status has impacted him, said, “The word I use [to describe the impact of immigration status] is poison...it’s poison. It creates a tremendous sense of frustration, of imbalance, of you really don’t have control over your life. And that can be bearable every once and a while, but it often becomes unbearable.” For Nico, too many arenas of his life felt caught up in limitations related to his immigration status, contributing to his sense that his life in Canada was unbearable.

Lack of clarity about the duration of precarious immigration status and processing timelines were named as a factor that exacerbated uncertainty. Asmaa, for example, had thoroughly researched immigration policies before coming to Canada. She chose Canada specifically because on paper the pathway to permanent residence, and eventually citizenship, was shorter than in other potential destination countries she considered. After arriving, Asmaa remained attuned to immigration policy changes, and the frequency of changes made it apparent that her pathway to permanent residence was far from secure. Although most changes did not impact her directly, they heightened her sense that her pathway to permanent residence was more precarious than anticipated. Ultimately, it took Asmaa longer than expected to become eligible to apply for permanent residence, and she lived with precarious immigration status for much longer than expected. These experiences caused Asmaa to feel bitter about the process and lowered her opinion of Canadian society more generally. Such worries were expressed by participants across immigration status, including former international students like Asmaa, live-in caregivers, and refugee claimants. For example, Yves’ comment on uncertainty echoed the sentiments expressed by Asmaa: “Nothing is really

certain. Until you become a citizen. Nothing is really certain. That's why can't, you, somehow you really are not allowed to be very happy or be really in the moment because you know that it might change, really, tomorrow." Participants thus linked their happiness and well-being to the security of their imagined futures.

Lack of stated processing timelines or changes to processing timelines constituted a source of considerable worry for many participants. Those who faced uncertainty linked to wait times for the processing of immigration applications felt that this uncertainty was even more difficult than the uncertain future more generally. Catalina was waiting for a decision about her claim for refugee status, but her case was a legacy case and the government had made no commitments to processing timelines of these cases. On this topic, we had the following exchange:

KD: Do you think it would be easier if you knew when the hearing is coming?

Catalina: Yeah.

KD: Because right now you don't know. If they say, okay, the hearing is in one year, would that be better because you would know for sure?

Catalina: Yeah, that would be better. [Not knowing is] very difficult. It's very, very difficult.

Delays in processing and backlogs affected participants applying for permanent residence as well. Many participants submitted applications that have advertised timelines, but those timelines lengthened following their submission. In 2015, the Toronto Star reported that processing times for permanent residence for live-in caregivers had doubled, such that the average wait time reached 53 months (Toronto Star 2015b). During a focus group with Filipina women who had experience with

Canada's live-in caregiver program, there was a murmur of assent after a participant, Jessa, explained:

We have a lot of friends now, island people who are applying for the permanent residency for a long time and wishing that they will get their residency approve and they can get their family back together. But until now they don't have the results yet. So the waiting takes a long time and emotions get more and more putting them down in the stress.

The women expressed frustration with lengthy separation from their family, but also the way their education and future careers were delayed for an unknown period of time because of slow processing of permanent residence. Pearl explained how restrictions relating to immigration status affected other areas of her life:

While I was in the live-in caregiver program, I was planning to go to school, to upgrade, to do this and that. But I'm not allowed to do *anything*! So I have to wait for two years [to be eligible for permanent residence and be able to pay domestic tuition fees]. Because after two years I was expecting that my life would be better, my profession would be better. But because of those restrictions, and so many things happen within the period of time of waiting, and, you know, my permanent residency has been on hold for three and a half years. So from two years and three and a half years of waiting, five and a half years has wasted. There's *nothing* you can do without permanent residence. So my life, supposedly—[she starts to laugh, maybe at the idea of the life being hers]. You have to wait ten years. On hold.

Changes in processing timeline was exacerbated by poor communication with IRCC about changes to timelines and application progress. Rocío and Nico were both waiting for decisions on spousal sponsorship applications and had seen the expected processing timelines increase significantly after submitting their applications. Both ended up seeking information from Facebook groups in which people share their application timelines and discuss the process. Rocío explained how the Facebook group was a better source of information than IRCC (formerly known as CIC) itself and its impact on her:

Actually, [the Facebook group] did a spreadsheet with the timeline of all the [applicants for spousal sponsorship]... So the main purpose of that was—because when you call CIC they won't tell you. So if you have that information, maybe you can see that someone who applied a month or two months before you, they have already got their approval or their decision. So I was checking there...That was very helpful for me.

When I met Nico for a second interview and asked him to begin with a general update, he leaned into the microphone while maintaining eye contact with me and said, “Everything is worse.” He had waited more than a year beyond the time he had initially expected to receive permanent residence, and the conditions in which he was living were becoming more unbearable with each passing day.

KD: There's different ways in which have you have characterized the immigration system as bad. One is that it takes so long, one is that you don't know what the outcome is going to be at the end, and one is that you don't know when the

outcome is going to come. Is there one of those factors that is particularly difficult? If you knew for sure—

Nico [cutting me off to answer immediately]: The third one. The third one. It's the uncertainty. It's the lack of clarity. It's the opacity of the whole fucking thing. If the whole thing is like, "Okay, you're going to be here for this long, and for this period you will not be able to work. But it's going to take this time." [Mimics his fictitious response in an amenable voice:] "Okay!" You plan for it, you go for it. There's communication and there's clarity? I could cope with it.

The division between the three forms of uncertainty was, however, not absolute. Nico went on to elaborate more on the difficult conditions in which he lived and asked why people cannot be allowed to live a normal life while they are waiting. The unclear deadlines cannot be neatly separated from the material and emotional conditions, but certainly heightens the experiences of stress and depression and complicate the process of determining how to cope with uncertainty about future stay in Canada.

Unsurprisingly, then, the people whose process adhered to the expected timeline, or for whom delays were only minimal, reported feeling stressed and unhappy about the process, but their distress did not rise to the level of distress experienced by people like Antoine, Nico, or Asmaa.

### ***Suspending and Embracing Engagement: Two Temporal Orientations***

Uncertainty creates a dilemma about how to act in time, engage in the future, and orient oneself to the steady march of biological time (Allsopp, Chase, and Mitchell 2015; Brekke 2004; Rotter 2010; P. Villegas 2014). At the same time, people's orientations towards the present and future also shaped the ways they encountered uncertainty.

Participants needed to find a way to learn to live with the dimensions of uncertainty they faced in relation to their immigration status—to endure not only in the moment, but as uncertainty stretched across time and seeped into the intimacies of everyday life. Thus, their temporal orientations were not fixed strategies, but dynamic in time as participants adjusted according to their experiences and needs. In this section, I identify two temporal orientations commonly adopted by participants, suspending and embracing engagement in everyday life, and illustrate these with three case studies. In the subsequent discussion, I analyze the geographies of uncertainty and return to the theme of uncertainty of duration as a factor that inhibits decisions about temporal orientations.

When people with precarious immigration status suspend many of their activities, they experience more alienation from their own everyday life, and their progress towards a better future is undermined both by uncertainty and the lack of investment in possible futures in Canada. Many participants reported that there was a limit as to how long they could sustain the condition of suspended engagement because the life it yielded was too painful. Thus, people wove together suspending and embracing engagement. Embracing engagement improves everyday fulfillment and opens up space to imagine and work towards possible better futures. However, embracing engagement, too, is fraught. People invest more time and emotional resources in projects that may ultimately come to naught. As such, they stand to lose more in case of having to leave Canada, and worries about these losses bother people even as they persist with their engagement.

Participants indicated two reasons for suspending engagement. For some issues, the conditions of immigration status interfered to a degree that makes activities impossible or near impossible. This is particularly true of people who want to study to enhance their qualifications but are subject to unaffordable international tuition fees and are ineligible for student loans. In other cases, people avoid engagement because it involves an investment of time and emotional resources in a future which deportability renders highly uncertain.

Many participants frequently renegotiated their engagement in everyday life because they could not sustain comfort with either suspending or embracing engagement. Several participants told me they had recently decided to change their strategy from one of suspended engagement to one of more engagement. They had felt that suspended engagement made sense to mitigate risks of loss, but over time the logical strategy revealed its downside: an everyday life that felt unfulfilling and painful. The disadvantages of suspending engagement were echoed by service providers. When asked which mechanisms she recommends in order to cope with the difficulties of precarious immigration status, AG said she advised people to form friendships and social networks, but to do so carefully: "Being in communities is very important. A community that is safe...be in community, don't isolate yourself, but be wise. Don't say anything to anybody about your status." The result of the second strategy, engaging in those everyday activities and relationships that one would find fulfilling, is a shift in how people encounter the limits of immigration status. When engagement is suspended, the conditions of precarious immigration status loom large as people repeatedly approach opportunities with the mindset "I cannot do this because of my precarious immigration

status.” When people invest resources into activities and open possibilities for the future they desire, they encounter the gap between what they wish to achieve and what they can achieve in the context of precarious immigration status. They are reminded of the gap when certain activities remain out of reach, or when people continue to feel precarious while engaging in desired activities. For some, the gap may be forgotten at times, in which case being reminded of that gap can present a shock. For others, the gap might always feel present, undermining the quality of life that people seek.

**Siva: “I try to live my life”**

Siva came to Canada in 2012 and applied for refugee status. Siva’s case was one of the legacy cases, caught in a backlog with no guaranteed, or even estimated, timelines for a hearing and decision. Siva had a job in his field of accounting. He lived on the opposite side of Toronto from his office, so during the week most of his time was spent working or commuting to and from work. Outside of work, Siva spent time with his parent and siblings, who had secure immigration status in Canada through separate immigration applications, and Siva regularly attended temple. Aside from these activities, Siva’s priority was to see his fiancée, whom he met after moving to Toronto.

For Siva, the time he spent on work, family, and his fiancée was caught up in processes related to immigration status that made it difficult for him to progress towards the future he desired. The job Siva held at the time of our interview was his fourth since coming to Canada. He had held so many jobs because as a work permit holder, he only had success finding temporary jobs. His most recent employer wanted to offer Siva a permanent contract but had been hesitant to do so because of Siva’s temporary, rather than permanent, authorization to work. “I always get a temporary

position and low pay, so that's the problem." Siva wanted to study for his CPA and ultimately own his own businesses. He had progressed towards these goals by developing detailed business plans and cultivating relationships with potential subcontractors. However, to study he needed a study permit and the funds to pay international tuition fees, and with his temporary social insurance number he had not been able to get bank loans. "I'm a little bit interested in doing something more for me. Something self-employed, I like that way...[but] my SIN number, my work permit, everything has [expiration] dates. So they consider me as not here, not a person for here. So that affects me."

The biggest cause of stress for Siva had been the three-year delay in plans to marry his fiancée while they awaited a decision on his asylum case. The couple felt it was necessary to have extended family present at their wedding, but most of his fiancée's relatives lived abroad in the country from which Siva fled persecution. The family had tried to obtain visas to visit Canada for the wedding but were unsuccessful. Ordinarily, families unable to get visas to countries in the Global North to attend a wedding plan to hold the wedding in a third country where bride, groom, and family can all travel. However, as long as Siva's asylum case is under review, he cannot travel outside Canada. The immigration situation has created tensions between him and his fiancée's family. Her family wanted to see their daughter married and moving forward with her life. Siva felt uncomfortable about the way his fiancée was affected by his situation. "She faces a lot of problems from her family because of my situation... Because she is already getting old [to be able to have children], right? So that's the thing. Her parents are worried." Aside from this, Siva joked that his siblings, all younger than him,

are “stuck in the queue.” They were unable to arrange their own weddings because, by tradition, they cannot get married before their older sibling. Siva felt that his future had been put on hold, and so, too, had the futures of his siblings and fiancée.

When we met, Siva had recently resolved to change his approach to these challenges to do what it took to make progress towards his goals. After years holding off on activities such as studying for his CPA, opening his businesses, and getting married, Siva had examined his life and came to this conclusion, “So far nothing has happened, right? So then I try to *live my life*. I [want to] do whatever. When it comes, then I face it. That’s my mindset now.” He had recently found Canadian citizens to serve as partners for his potential businesses and was trying to advance those business ideas. He and his fiancée had persevered in their relationship in spite of pressure from family. Her parents had continued applying for visitor visas to come to Canada, and on the third attempt, they were successful. The couple were suddenly moving forward with their wedding. It would not be the wedding they had in mind—after years of waiting, Siva and his fiancée were trying to make all the necessary arrangements in four weeks when her parents arrived. Even though her parents would be present, other important family members abroad would still miss the wedding: “[O]ne thing, she’s very close with her grandmother, and she’s unable to attend this wedding. So [my fiancée’s] really worried. I spoke to her grandma, she said, ‘Okay, I am missing [the wedding] but it’s okay.’” Siva was no longer happy to keep his life plans on hold, and had taken steps to progress on plans to be an entrepreneur and get married. He and his fiancée intend to try to get pregnant as soon as they are married, even though neither has access to OHIP, and were planning to face challenges as they came rather than avoid challenging activities.

In the case of Siva, as with several others to whom I spoke, the new version of normality remained limited in important ways. Certain activities were still unobtainable or haunted by uncertainties. Siva would lose profits from his business to the partners he needed to qualify for business loans, he still could not study for his CPA, and his wedding would proceed without one of the people who means most to his fiancée. Nonetheless, Siva has concluded that he cannot go on any longer without engaging in these activities and he is proceeding accordingly.

**Catalina: “From now, I want to do everything for when I have the decision”**

Catalina came to Canada in 2014 along with her husband and very young son to apply for refugee status. But shortly after arrival, her husband left the family. On the day of their asylum hearing, their cases for protection were separated so they could each represent the facts of their own case with their own lawyer. In delaying the hearing, her case was placed into the backlog, in which there is no timeline to which her case should adhere. She had not had an initial hearing and had no information about when her hearing would be scheduled. After separating from her husband, Catalina moved in with her brother who already had status in Canada. The three of them lived together in a very small apartment, but Catalina was hesitant to look for her own place to stay. Even as she developed fears that her son was delayed in learning to walk due to the cramped accommodation, Catalina was afraid to create a life of her own in Canada. Having her own household was symbolic of broader investment in a future in Canada that could be taken away.

Like when I took the decision [to move into my own apartment], I remember one time I came to [support agency], I say to [director of organization], “Oh my God, I

feel bad. Even my son, he can't walk. I don't want to do anything." She said, "No, don't be scared." But I said, "I don't know what is going to happen. What happens tomorrow?" But she said, "Okay live your life now because you cannot stop." She said to me many things that made me think. Like, okay maybe yeah it's true I don't have my [immigration] situation definite yet. I don't know what will happen about me yet. But I am thinking, what happens if I am still living in the room in two years? I can't live in the room with my son like that for two, three, four years. I need to take the decision and do something. Even just something, like think about, maybe they will say no but you have other options. Like [applying on] humanitarian [grounds following a refusal of a refugee claim]? You have other options. But if you don't have life here, it's like your [chance] to get humanitarian for them to say yes is less. If you settle down here, it's probably going to say yes. I don't want this process to go too long. But it's like, maybe, you don't know what is going to happen.

Only through these emotional conversations and encouraged by a person she trusted was Catalina was able to make the decision to build a life in Canada that reflected the hopes and needs of her own family. Even after deciding to do so, it remained difficult for Catalina to look for an apartment, something Catalina repeated throughout the interview. "It was hard to decide to live alone. It was one decision that, oh my God, that took me a lot of time." Even once she moved, Catalina told me that she struggled to settle into her new home. She furnished it only with absolute necessities that were donated, avoiding spending money on household items.

I don't know if one day I'm going to leave. I live like, for a moment you don't know. There are a lot of things I don't feel comfortable to do because I'm not sure what will happen in my future...I feel comfortable in my home but even sometimes I don't think it's my home place. Because it's like, you don't know what happens. When you need to go. I really don't buy anything. All that I have was from [support agency]. I just buy things I need like for cooking, stuff for cooking. That's it.

Reluctance to spend money and effort on a comfortable home were also mentioned by other participants, and this phenomenon has also been observed in other research on illegalization and temporariness (Mountz et al. 2002; P. Villegas 2014).

Catalina had recently shifted her approach to life in other ways, too. Although she had been well educated and worked in a skilled profession in her home country, she had not been laying the groundwork to pursue her career in Canada. Catalina had been in a very basic English course but was not taking her future career seriously. But by the time of our interview, her attitude had shifted. Catalina enrolled in a more challenging English course that met daily and was taking English-language math classes. She wanted to prepare for the future so she would be ready to attend university as soon as she got a positive decision on her asylum case. About her new approach, Catalina said, "I'm thinking, okay, from now I want to do everything for what can I do for when I have the decision, I can go to college or do whatever I want, no?" She told me that she was still frequently reminded of the uncertainty about the future. Catalina longed for her hearing because without it, she would never receive a decision that would resolve the source of so much worry. Although it was difficult to make the decision to build towards a future

in Canada and difficult to live with that decision, Catalina's experience had showed her that it was the best course of action.

**Antoine: "A cycle that keeps on happening"**

Like Siva and Catalina, Antoine had experienced a time when he decided to move forward with his life, with or without more secure immigration status and the security of future that brings. But unlike them, Antoine was unable to maintain that effort, largely because he could not break down the barriers to the activities most important to him. He has a university degree in his home country and had done internships in his chosen field there, but he believed his career in Canada would be better served by a degree from a Canadian institution. Keen to study again and hopeful a decision would be reached on his case, Antoine applied to and was admitted to degree programs on several occasions. But as a refugee claimant, he was subject to pay fees as an international student and ineligible to take out student loans. When his status did not come through, he had to defer his enrollment and eventually turn down his university places rather than enroll and begin his studies. Antoine described that he was worn down, both by not being in school but also by getting admitted and holding out hope that he can actually enroll:

I don't have the money to pay [international tuition fees], so [my most recent offer of admission is] probably going to expire. And that's not the first time I'm having that admission. I've had admission at [another university], too, but I don't have the money to pay the school fees, you know? So each time, it happens because I get frustrated [about not being in school] and just be like, "You know what, I'm just going to apply." And then I apply and I'll get it, and I'll just be like, "Ugh." You know, it's like, you are planning, you're just hoping that maybe your

status might be regularized in the course of the time you're waiting for, because now if I get my permanent residence, I won't have to pay that [international] fee. So it's just like, you're always hoping. What I'm going to do, I'm going to postpone, I'm going to write to the school next month or when it's coming to the end of the date, and I'm going to postpone the admission. But at some point [the offer of admission is] going to end. At some point, they will be like, "No, you can't do it no more."

For Antoine, those attempts to lead the life he wants require a level of emotional fortitude that he could find, but not sustain. He needed to believe his life could progress, leading him to apply for university, but then found himself exhausted by the reminders of ways in which he could not progress. Yet he also could not sustain the attitude of giving up on education in the near future, which is why he had been through this cycle several times. After describing this cycle to me, Antoine predicted, "If I don't get my status by next year, I'm probably going to get frustrated again at some point and apply again. And it's a cycle that keeps on happening. That's where I'm at."

Antoine was visibly upset when talking about his education, but struggled to put into words how the disappointments affected him: "What can I do? There's so many things that have happened that I've had to give up, so it was just one of those things." As he repeated several times that there was nothing more he could do, I observed that I would be very frustrated. His response was emphatic: "Yeah! It is frustrating. I mean, if I say there's nothing I can do, doesn't mean I'm cool [with the situation]. You know? It means I'm *very*, very frustrated up to the point that I don't care anymore." In another part of the interview, he shared that he had permanently lost opportunities to play on a

semi-professional soccer team. He tried out and was offered a spot playing as the striker, but he had to refuse because the team traveled internationally and Antoine cannot leave Canada. He has since aged out of that league and will never be able to revisit that particular opportunity. Antoine also named several job opportunities that were closed to him when employers learned he had a temporary work permit and SIN number. These experiences have led Antoine to sum up his situation as, “I have lost my life. It just, if you experience that...So many, so many things that I am not able to get because of certain barriers.”

### ***Discussion***

Participants described not being able to see the future or to plan, but interviews showed that this inability was not absolute. Consistent with the literature on waiting (Bissell 2007; Jeffrey 2008), the everyday lives of people with precarious immigration status were marked by activity, not stasis. When study participants used the language of “waiting” or “life on hold,” they did not mean immobility or inactivity, but rather particular affective textures within everyday life. Uncertainty leads to a tailoring of activities and a particular affective engagement with activities that interfered with participants’ satisfaction with their everyday life, for example Catalina’s avoidance of making a home of her own or Nico’s sense that he carries his immigration status with him as he goes about his everyday life. These troubled temporalities represent a spectacular form of state power, as everyday and intimate activities are imbued with uncertainty produced by immigration control.

Beyond their descriptions of themselves as waiting, participants led busy lives that, when reduced to a summary of activities, appear familiar and even typical—work,

relationships, commuting, appointments, administrating the details of social reproduction. Nico acknowledged as much:

I have the average urbanite, normal life. I have an AGO membership, so I go to the AGO every once and a while. I like going to movies, I go to movies once and a while. I really enjoy going to shows. Whenever I can afford, catching a band, I go catch a band. The reality is not that different...it is what you'd expect from someone who lives in downtown Toronto.

What was distinct about his life was not particular activities, but the sense of uncertainty he carried.

Asmaa said her goal was simply to be happy, which is unavailable to her because of her uncertain future. She adds, "Sometimes I can't help but feel resentful because I feel that until now I'm waiting for my life to start. I'm still waiting for things that people were born into." When Asmaa talked about waiting, she meant a sense of security that will allow her to feel differently about her life—happier, more settled, unburdened. For her, it was not necessarily that she could do particular things, but rather than she could not feel secure while she undertaking ordinary activities.

Unlike short-term waiting, which often occurs within distinctive spaces such as a waiting room or a bus stop, prolonged waiting outside the contexts of imprisonment or detention usually involves continued circulation in ordinary spaces and the folding of activities associated with waiting into the rhythms of everyday life (Brun 2015; Gasparini 1995; Rotter 2016). However, participants expressed that their worries about uncertainty, although carried throughout the day, became most prominent in their minds when they were at home: alone, less connected to their social networks, and less

distracted by the demands of the day. The contested meanings of home have long been studied by geographers (Blunt 2005; Brickell 2012; Domosh 1998; Tuan 2004). While home sometimes connotes a place of comfort, home can be a place of profound discomfort due to economic hardship, gendered norms about family roles, neighbourhood or family violence, and inadequate housing (cf Blunt 2005; Brickell 2012; Marston 2000; Muñoz 2018; I. M. Young 2005). Furthermore, scholars have shown that perceived boundaries between public and private, where home might be understood as private, are false ones.

Studies of illegalization of migration have documented that many people prefer to remain in the home, residential neighbourhoods, or places with minimal unexpected social contact in order to protect against being caught up in status checks or immigration raids (McDowell and Wonders 2009; Schmauch and Nygren 2014; Stuesse and Coleman 2014). This does not mean that home is necessarily safe, but that in weighing possible experiences of fear and violence, staying at home seems to offer protection from some of those possibilities. Home might be seen by some as a place where formal immigration status has less influence on social relations.

In contrast, many participants in this study cited home as the place where they became hyper aware of their formal immigration status and the limitations associated therewith. For Nico, home was where he lived with his partner, and their partnership was fraught. Although he loved and respected her, he wanted to see changes in their relationship but was afraid to ask for those changes while the sponsorship application was pending. Nico also worried that she was thinking of immigration status when they argued or avoided arguing over a potentially contentious issue. Antoine told me he was

aware of the limitations of his immigration status all the time, even when he was enjoying his work or energized to take on something new. However, he reported that this awareness became prominent when he was alone, which was normally at home, and especially when he was trying to sleep. Antoine tried to fend off the sense of heightened awareness by staying busy, having an unpredictable schedule, or working untraditional hours. Catalina described thinking more often about receiving the letter for her hearing when she was at home. She found it more difficult to distract herself from her worries about the future when she was at home. A few participants coped with the problem of being home alone by sharing an apartment with friends so their roommates could distract them from the pressures of immigration status. In that sense, Antoine was happier with his living arrangements at the time of our interview than he had been upon his first arrival to Canada when he was in a homeless shelter, which too served as a reminder of his subordinate status and the problems associated therewith.

The change in strategy from disengagement to engagement suggests a broader challenge to temporal orientations—that for many participants, the duration of their period with precarious immigration status is either indefinite or has run longer than expected due to changes to eligibility requirements or processing time. The data here suggests that having a specific deadline for immigration decision would likely yield a different orientation towards waiting and the future. A strategy that is appropriate for four months of waiting for status and uncertain about the outcome does not work well for a period of four years. It is worth noting here that all participants were in some form of contact with IRCC, either with a valid visa and anticipating a future application for another status, or with an application pending. This means all were expecting a clear

end to the period of uncertainty, even if the outcome or the form that outcome would take remained unknown. Even knowing that an end to the situation of uncertainty would come, the lack of clarity around timelines magnified the difficulties of living with precarious immigration status.

### **Conclusion**

The research shows that people with precarious immigration status perceive themselves as functioning in a present distinct from that of their friends, neighbours, and community members. Uncertainty about the future troubles people's engagement with the present, which simultaneously unsettles future possibilities. Uncertainty about the ability to stay in Canada is exacerbated by uncertainty about the duration of precarious immigration status.

While some people expressed that their life is on hold, study participants referred to distinct ways of prioritizing and engaging in activities rather than a life characterized by inactivity. These findings affirm, but also trouble, scholarship about time on hold, emptied of meaning, or inability to work towards a future. While their daily activities and paths appeared ordinary, many participants felt they were carrying their immigration status with them at all times. Their experiences resonate with the findings of Coutin, who writes that "illegality may be irrelevant to most of their activities, only becoming an issue in certain contexts... Much of the time they are undifferentiated from those around them, but...legal reality is superimposed on daily life" (2000, 40). Long, indefinite, and changing timelines for resolving their immigration case made it more difficult for participants to make decisions about what kinds of everyday activities were worthy activities in which to invest precious resources. It was

difficult for participants to see the medium- and long-term future, which created challenges to deciding whether and how to try to progress towards certain goals.

## Chapter Six: Persistence and Internalization: Contradictory Geographies of Resistance among People with Precarious Immigration Status

*I did a couple of stuff that I am really [pause, searching for right word] proud of? Like presenting at the Toronto District School Board, twice, on the issue of mental health and newcomer youth. I'm part of a homelessness newcomer group in Toronto who try to advocate on the issues of homelessness that newcomer youth face. And I am part of a group called OHIP for All.*

Julian

*[Faced with years of insecure status in Canada] I get depressed. I just get depressed. It's an experience that most people here cannot identify with, and they cannot possibly imagine the effect it might have on you, this build up over the years and over experiences and over incidents. It makes me feel more isolated, it makes me feel more depressed.*

Asmaa

Julian and Asmaa are racialized newcomers who live in Toronto with precarious immigration status, a position of liminal belonging in which they are present on sovereign territory but their authorization to remain is tenuous. Precarious immigration status is associated with deportability, uncertainty about the future, restricted rights, and limited access to social supports (De Genova 2002; Goldring and Landolt 2013). Julian and Asmaa have each been engaged in a years-long bureaucratic process in the hopes of being granted permanent residence in Canada, and therewith, formal recognition of belonging. Throughout this process, Julian and Asmaa, like many people with precarious immigration status who wish to remain, have struggled with isolation, frustration, and feelings of unworthiness as the state fails to offer them the chance to apply for and be granted permanent residence. At the same time, they have discovered and embraced unforeseen capacities, developed new political subjectivities, and created a network of ties to people, places, activities, and institutions.

The responses of Asmaa and Julian to living with precarious immigration status exemplify the subjection, pain, and the devaluation of self that encroach, as well as

people's capacities to persist, to act, and to resist. In other words, newcomers do not passively accept their relegation to the margins of Canadian society on the basis of their formal immigration status. Yet that relegation remains a powerful driver in remaking people's subjectivities (Bridget Anderson, Sharma, and Wright 2009). I argue that resisting sovereign narratives about migrants as un-belonging is necessary, but fraught, for people with precarious immigration status who are seeking formal recognition of their right to remain in Canada permanently. The research shows that people with precarious immigration status can resist constructions of themselves as un-belonging by engaging in acts of belonging, persisting in their presence, and critiquing immigration policy. However, the desire to gain permanent residence limits the extent of people's critiques of regimes of immigration control. Furthermore, narratives about people with precarious immigration status as unworthy of inclusion in the national community remain powerful.

Using a grounded theory analysis (Charmaz 2008; Glaser and Strauss 1967), I examine practices through which participants assert autonomy and agency. I analyze whether such practices may be considered forms of resistance, the conditions under which resistance is possible for people with precarious immigration status in Toronto, and the extent to which these forms of resistance are transformational. I use the term resistance to refer to practices that push back against dominant power structures. Agency and resistance among people with precarious immigration status are structured by regimes of immigration control, and their influence is even stronger when people are invested in struggles to be granted a more secure immigration status by the state (Montange 2017). The resounding narrative from fieldwork was not one of action and

self-determination. Rather, participants focused on the profound distress caused by precarious immigration status, in which people were denied permanence, rights, and consistent affirmations of their sense of belonging. One participant called immigration status “poison.” A woman contrasted the immigration process on paper to the reality, characterizing her lived experience navigating eligibility criteria, visa applications, and requests for further information as “horrible.” A man in his early 20s told me, “It’s past the penal code of frustration...I have lost my life.” The sovereign power to determine immigration status harmed all participants. That harm can be characterized as structural violence: life chances decreased by social arrangements that have been naturalized (Anglin 1998). It is also slow violence (Nixon 2011), gradually accruing, as Asmaa says, over the course of many years and many incidents. At the same time, participants found ways to persist, build support networks, and contest regimes of immigration control that rupture the political order, even if only on a small scale.

The research shows that acts of resistance are essential due to the extent to which participants were harmed by the ripple effects of an oppressive regime of immigration control. However, these acts are difficult—the desire for state recognition constrains engagement in visible and oppositional forms of resistance, and the transformational capacity of resistance is limited by the power of state narratives that label people with precarious immigration status as undesirable. This paper interrogates how power, subjection, and resistance function for people with precarious immigration status in Toronto. I analyze the spaces in which resistance is possible for participants and why they find particular practices of resistance necessary or useful. Judith Butler (2011) writes that all action must be supported, but that “we must struggle for the

supports that allow us to act.” For people with precarious immigration status, that struggle is connected to the hollowing out of institutional support systems and the risks of visibility for a population that may become deportable. The forms of agency identified through the research push back against the sovereign right to decide who may enter Canada and belong in Canadian society. Participants’ resistance was often tacit rather than explicit, personal rather than political, and most often expressed privately—in the presence of a small, trusted audience rather than in a more public forum. People used their participation in the research as a space to voice critiques of Canada’s immigration policies, as well as to assert the qualities that make them desirable members of Canadian society. At the same time, research findings suggest that there is a risk of people with precarious immigration status internalizing their lack of permanent residence as a marker of their undesirability. The internalization of formal immigration status has received little scholarly attention, but it is significant to studies of resistance because it indicates the limited transformational capacity of personal forms of resistance in the face of hegemonic discourses about hierarchies of belonging and desirability of migrants (Huot et al. 2016; Mountz 2010; Omidvar and Richmond 2003).

The data analyzed in this paper derives from semi-structured interviews and one focus group with adults who have lived with precarious immigration status for two or more years and wish to remain in Canada. Interviews with migrants focused on everyday life, future goals, experiences of immigration status, and contact with officials from Immigration Refugees and Citizenship Canada (IRCC) and Canada Border Services Agency (CBSA). I also interviewed people who work on migration and settlement issues, including service providers and grassroots organizers.

In terms of formal immigration status, the sample includes people who hold temporary visas, people whose visas have expired, people who have applied for permanent residence, and people who are claiming refugee status. Many participants have held more than one formal immigration status since their initial arrival to Canada. All participants were in contact with IRCC and none were subject to a deportation order at the time of the interview. To protect the confidentiality of participants, I took several measures. I used an oral consent procedure and did not keep a record of names or contact information. Following scholars on how to conduct ethical research with people potentially subject to deportation (Bernhard and Young 2009; Düvell, Triandafyllidou, and Vollmer 2010), I avoided collecting data that could be of interest to CBSA such as reasons for migrating, method of crossing the border, or violations of the conditions of their visas. Finally, some people are referred to by more than one pseudonym. Multiple pseudonyms allows me to quote greater portions of interviews and to include personal details such as activist work or hobbies, while preventing deductive disclosure, in which people who know participants may recognize them (Kaiser 2009). As much as possible, I maintain continuity of pseudonym to provide the reader with a fuller sense of individuals and their complexities. However, when details are potentially identifying, or could be identifying if combined with other excerpts of interviews, I assigned an additional pseudonym.

In the paper, I use terms such as 'participants' or 'people' to mean those who were interviewed about their personal experiences with precarity. I occasionally refer to participants as migrants but prefer the former terms to avoid reifying people's history of migration as the most important part of their identity. People interviewed about their

work on migration issues are referred to by their job title, rather than as participants or migrants, even though some of them are also newcomers to Canada. I assigned initials to service providers and organizers and first names to participants to make it easy for the reader to distinguish between the two groups.

The paper opens by situating the subsequent discussion of resistance among people with precarious immigration status in the Canadian context, and in particular in Toronto. Next, I set out the challenges to conceptualizing power and resistance, showing the importance of exploring resistance within the context of its limits. I then draw upon empirical work to discuss (un)belonging of people with precarious immigration status, resistance in the forms of persistent presence and creation of new subjectivities, and, finally, internalization of immigration status. These examples demonstrate how dominating discourses about migration and migrants are, the limited effects of resistance, and at the same time, why resistance is essential to the survival and dignity of people with precarious immigration status.

### ***Resistance and Its Limits in Toronto, Canada***

The paper explores resistance and the limits to resistance among people with precarious immigration status living in Toronto, Canada. Canada often advertises itself as an ideal destination for migrants—a place of opportunity with a generous immigration policy (Simmons 2010). Although there is some truth to that portrayal, Canada's immigration system nonetheless operates upon the same fundamental logic as the systems in other settler colonial societies. It is marked by the desire to manage migration to the benefit of Canadian society. In the past, that meant attracting future citizens to expand Canada's white population, and contemporary policies seek to

maximize economic benefits through filling gaps in the labour market and supplying employers with a flexible workforce (Macklin 2014a; Simmons 2010; Valiani 2013). Like the US, UK, and Australia, recent policy trends in Canada reflect a desire to minimize arrivals of refugee claimants, exclude certain people from making successful refugee claims, increase reliance on detention and deportation, and make the pathway to permanent residence and citizenship more difficult for certain newcomers (Alboim 2009; Atak, Hudson, and Nakache 2017; Baglay and Nakache 2013; Mountz 2010; Nyers 2018; A. Pratt 2005).

Additionally, immigration policies have become more complex. Over time, the Canadian government has added additional entry categories and routes to permanent residence from within Canada (Simmons 2010). The eligibility requirements for these programs are subject to frequent tinkering, and the changes do not always fit well with existing policies. Taken together, these policies mean that more newcomers to Canada hold precarious immigration status and many of them face a more difficult, less certain path to permanent residence compared with past newcomers.

The problems constructed at the national scale have echoes at the local scale. Toronto is an important site to study precarious immigration status because it is a popular destination city for newcomers, including those with precarious immigration status. Although Toronto City Council declared Toronto a sanctuary city in 2013, it remains a place where people with precarious immigration status can experience inclusion and exclusion, safety and risk. Harald Bauder (2015) suggests sanctuary cities such as Toronto expand possibilities for greater belonging. However, audits of AccessTO policies have been less than optimistic about the outcomes of Toronto's efforts to be a

sanctuary city (Hudson et al. 2017; Moffette and Gardner 2015; Perez-Doherty 2015; Slaunwhite 2018). The sanctuary declaration was implemented through efforts branded AccessTO, which focused on clarifying policies about who can access which city services and training staff not to ask for proof of immigration status for services that should be accessible. However, key services in the city remain inaccessible. Inconsistencies across staff and agencies mean that many people are still asked for immigration status documents when service is not dependent upon status. AccessTO was passed without any funding for implementation, so the City has not opened access to social supports such as childcare subsidies, housing subsidies, and social housing to residents who lack permanent residence. It remains the stated policy of Toronto Police to cooperate with CBSA about people suspected of committing crimes (M. Saunders 2018), but there are also documented cases of police contacting CBSA about the immigration status of witnesses and victims of crimes (Moffette and Gardner 2015). Finally, the division of services between the three branches of government in Canada means that some migrants are excluded from accessing important services such as free universal health care (called OHIP in Ontario), welfare support, and many settlement services.

In their comprehensive evaluation, Graham Hudson and his co-authors characterize AccessTO as “symbolically ambitious but practically cautious...[more accurately seen as] a pilot project than as a full policy” (2017, 2–3). Despite the symbolic importance of the sanctuary declaration, their efficacy in making Toronto welcoming for people with precarious immigration status has been limited. The purpose of this research is to critically examine the consequences of immigration control, not to assess Toronto as a sanctuary city. However, the visceral struggles of participants to cope with

the exclusionary politics of belonging that play out in everyday urban life (Matejskova 2013; Yuval-Davis 2006) suggest that there is considerable work to be done to make Toronto a city of sanctuary.

### ***Spaces of Possibility within Domination and Resistance***

In exploring the contradictory geographies of resistance, I wish to neither erase the possibilities for resistance nor fetishize resistance. A view of power as omnipresent and inescapable not only leaves no room for resistance, but it ignores ways and places people do indeed escape. On the other hand, Matthew Sparke (2008) notes that romanticizing resistance obscures the intransigence and violence of the object of resistance. In this section, I review writings on power and resistance and show how I use the concepts for the remainder of the paper.

Foucault's writings on power and subjection have been extremely influential. Power is now frequently understood not as a resource or thing-out-there to be wielded by the powerful, but rather as a diffuse set of practices in which we all participate through "countless processes of domination and resistance which are always implicated in, and mutually constitutive of, one another" (Sharp et al. 2000a). Using Foucault's insights on power, scholars have shown how migrant bodies are the focus of intensive surveillance by representatives of the state as well as non-state actors. This surveillance produces distinctive subjectivities as people discipline themselves to conform to regulations placed upon them and to position themselves as ideal citizens (De Genova 2004; Kyriakides et al. 2018; Mountz 2010). Foucault has drawn attention to the fragmented and productive nature of power relations, but his work has been critiqued for being too totalizing. If sites and practices of domination are innumerable, it becomes

difficult to conceive of how power may be subverted or to account for empirical examples of resistance.

Foucault's work subsequently influenced two other foundational bodies of literature considered here—the state of exception and performativity, as articulated by Giorgio Agamben and Judith Butler respectively (Agamben 1998; 2005; Butler 1990; 1997; 2004b). The state of exception has been particularly influential within migration studies, border studies, and geographies of migration. Many scholars draw parallels between *homo sacer* and the figure of the migrant—excluded from participation; able to be harmed or killed without that violence being considered to be a sacrifice; at times confined to camps, whether physical refugee camps or figuratively encamped wherever they go (cf Coutin, Maurer, and Yngvesson 2002; Darling 2009; Hyndman and Mountz 2007; Mountz 2010; Walters 2008). Yet if Foucault's disciplinary power is totalizing, Agamben's work on sovereignty and the state of exception is even more so. The analytic tools Agamben provides support critical enquiry into the operations of sovereign power and exclusion. However, parallels between concentration camps, the basis of his analysis, and the exclusion of migrants have empirical limits. The state of exception relies on a singular and uncontested relationship to a sovereign that has the power to exclude or to make die. As such, Agamben leaves out the potential for relationships to other sovereign powers—which many migrants, particularly those claiming refugee status or those with transnational ties, actively cultivate (Hyndman and Giles 2016, 74)—and relationships within the social field beyond the reach of sovereign decisions (Comaroff 2007; Montange 2017). Furthermore, sustained parallels between immigration control and concentration camps would require state control over

immigration and settlement to be even more ubiquitous (Darling 2017; Jones 2012; Sharp et al. 2000a). Even in an era of heightened emphasis on border security and immigration enforcement coupled with advances in surveillance technology, autonomous migration and the sustaining of lives beyond the realm of state authorization remains possible (Ellermann 2010; Freeman 1994; Joppke 1998; Rodríguez 1996; Stuesse and Coleman 2014; Wong et al. 2012). The findings presented here support the view that, while constrained, people with precarious immigration status find ways to persist, sustaining their material needs and forging a sense of belonging.

My work, then, is more influenced by Butler's (1990; 1997; 2004b) writings on performativity, regulatory norms, and the need for recognition. Butler argues that social relations and identities acquire stability through iterative practices. Such stability cannot merely be undone by choosing a new set of performances, for there is no pre-existing self or self outside regulatory norms to choose. While her rendition of subjectivity makes agency fraught, Butler's more recent writings (2004a; 2004b) insist on the possibility for resistance and the opening of norms: "I think we should not underestimate what the thought of the possible does for those for whom the very issue of survival is most urgent" (2004b, 29). Compared to Agamben, Butler's writings have been taken up less often by scholars of migration (for an exception, see Mountz 2010), perhaps because Butler often applies performativity to re-conceptualizing gender, sex, and sexuality. Yet her work on subjectivity, precarity, and politics of the street (Butler 2004a; 2009; 2011) offers useful ways to analyze possibilities for and limits to

resistance among marginalized populations such as people with precarious immigration status.

In contrast to the social theory literatures that leave little room for resistance, other scholars use empirical examples to offer a more expansive take on resistance. James Scott's (1985) work on everyday forms of resistance, among them foot-dragging and sabotage, are influential within this literature. Asef Bayat (1997) writes that Scott's portrayals of people living in poverty in the Third World marks an improvement upon previous, more otherizing representations, which portray passive people whose daily activities consist of no more than survival strategies. Yet Scott has also been criticized for reading nearly every activity as resistance, regardless of its impact or intent (Sharp et al. 2000a; K. Smith 2015), and scholars continue to develop new frameworks for defining and delimiting resistance, among them quiet encroachment of the ordinary (Bayat 1997); a differentiation between resistance, resilience, and reworking (Katz 2001); and spaces of refusal (Jones 2012). They propose various criteria for practices to be considered resistance.

Reece Jones, for example, uses mundane, but unauthorized, travel across what has become the India-Bangladesh border to exemplify refusal. For Jones, "spaces of refusal are... the multiple strategies that transgress, reinterpret, and ignore sovereign power but do not necessarily rise to the level of overt political resistance" (2012, 13–14), where resistance seems to mean something more confrontational or more successful at achieving structural change than ignoring new countries and borders. I adopt a more expansive definition of resistance. While he places such spaces of refusal as within the scope of legitimate scholarly inquiry, Jones' reluctance to characterize

unauthorized border crossing as resistance may unintentionally invisibilize the ways the life of the woman in the opening narrative of his article is transformed by her willingness to ignore the border—it allows her to visit her son. It might not eliminate the border for everyone, but it seems to reduce the impact of the new border for her.

The risks of invisibilizing discontinuities within the system are explored by J.K. Gibson-Graham (2006), who, influenced by Butler, take a hopeful stance towards the potential significance of the formation of new subjectivities. Their examination of diverse economies attends to anti-capitalist practices that co-exist with capitalism. By highlighting these practices, Gibson-Graham draw attention to the limits of capitalism's hegemony. We will only ever see dominance, they argue, if we ignore cracks in that dominance. The formation and multiplication of new subjectivities open up possibilities to build a different kind of world and helps sustain new subjectivities as a source of resistance (Gibson-Graham 2006).

The debates about resistance indicate the difficulties in balancing portrayals of power and resistance. Following Joanne Sharp et al. (Sharp et al. 2000a), I view power and resistance as interwoven. Domination and resistance do not form two opposing poles of a continuum, where more domination means less resistance. Rather people are implicated in simultaneous processes of domination and resistance that are inexorably linked. As Pierre Bourdieu observes, “symbolic power [to subvert] can only operate to the extent that the conditions of its efficacy are inscribed in the very structures that it seeks to conserve or transform” (2000, 235). Thus, resistance must be understood in relation to that which is being resisted—its architecture, its extent. In the context of precarious immigration status in Canada, the state is empowered to set out the grounds

for entry to sovereign territory, as well as the conditions of presence. As more actors are drawn into practices of immigration enforcement, such as verifying immigration status before offering access to employment and a number of services, state categories can dominate the lives of people with precarious immigration status. At the same time, people remain deliberate actors whose identities and capacities supercede those related to their formal immigration status. I focus on what Sparke identifies as fertile ground for investigations of resistance: “the messy middle grounds where control and opposition, structure and agency, hegemony and counter-hegemonic action, are all variously mediated” (2008, 423). The paper is primarily organized around examples of resistance, but each section sets out the extent to which particular assemblages of power relations and resistance lead to lasting and transformative change.

### ***Constructing (Un)Belonging in Everyday Life***

Implicit in immigration control are discourses about worth and desirability. Alan Simmons (2010, 87) recounts a documentary that showed a senior immigration official explaining that his job is to admit “good guys” and “keep out the rascals.” Simmons observes that this characterization highlights both the moral dimension of immigration decisions, but also the subjective nature of determining what makes someone good versus a rascal. In the context of applications for naturalization in the UK, Bridget Anderson et al. have written: “Those who fail to satisfy the requirements of naturalisation are not only reminded that they lack what it takes to be a citizen, the common principles or requirements of political community – the standards of the citizenry as an exclusive and valued body – are simultaneously affirmed” (2011, 554). Decisions about entry and naturalization are based upon the qualities that are

considered to be desirable. So, too, is the exercise of immigration control more broadly. Decisions about eligibility criteria for visas and permanent residence, the rights associated with various formal immigration statuses, and the ways that people are treated before they are granted citizenship all similarly engage discourses of worth and desirability. Distinctions between migrants and their rights create “varying degrees of national belonging” (Mountz 2010, 101), whereby fewer rights are granted to those who are seen as less worthy of full membership in the nation.

People living in Canada with precarious immigration status are in a liminal position of belonging: included enough to be permitted continued presence, but excluded from enjoying the benefits of formal recognition of national belonging in the form of permanent residence or citizenship. Asmaa described a disconnect between discourses of welcoming migrants and the unwelcoming policies she has experienced. “Because the society and people here are like, ‘Welcome to Canada! This is your home! Enjoy it to the max. These are your rights.’ But the government is not telling you that [you are welcome and have rights].” Rather, by virtue of her immigration status, Asmaa has lived in Canada with limited rights and limited opportunities to be granted permanent residence. Nico echoed Asmaa’s sentiments about the contradictions between Canada’s self-image as welcoming of immigrants and the practices that exclude him from permanent residence: “It’s obviously, yeah we hate you and we don’t want you here...it’s like, ‘Oh but you can! But we want you!’ [Then quieter:] But we don’t. ‘But we want you!’ [Again quieter:] But we don’t.”

Several participants interpreted long processing times and restricted rights during these periods as evidence of un-belonging. Nico had been waiting for his

applications for a work permit and permanent residence to be processed. At the time of our interview, both applications had far exceeded expected processing time. Nico came to the conclusion that delays and ever-increasing processing times are a sign that the government prefers to withhold formal belonging from people like him. Nico explained,

I come from a country where things happen because of sheer inefficiency... but this is the First World. And it's the First World for a reason. So when things in the First World appear similar or just as inefficient as they do in the Third World, to me, it's deliberate. It's not an oversight.

Research affirms Nico's perspective. The Canadian government increasingly privileges the immigration trajectories of people who enter on visas based on high qualifications and earnings potential (Macklin 2014a; Simmons 2010). By contrast, other newcomers in Canada often live for long periods of time with uncertainty, exploitative work arrangements, long wait times, and the risk of illegalization (Atak 2018; Harris 2019; Hennebry 2012; McLaughlin and Hennebry 2013).

Efforts to achieve permanent residence are complicated by changes to immigration laws, which have become increasingly frequent, particularly to programs that create a pathway to permanent residence for people with fewer rights, and have tended to be restrictive rather than inclusionary. Thus, recent changes have increased the amount of time or qualifications required to become eligible for permanent residence, increased hurdles to humanitarian protection, and closed routes to permanent residence altogether (Banerjee et al. 2017; Carlaw 2017; Nakache 2015; Reynolds and Hyndman 2014). Such changes have become more frequent, and the programs frequently targeted for changes are those programs that create a pathway to

permanent residence for people on visas that offer fewer rights and privileges. For example, a new rule passed in 2011 limited foreigners to four years of work in Canada, after which they would have to leave for four years before being able to reapply to work in Canada. The rule, repealed in 2016, effectively excluded those who needed more than four years of work to become eligible for permanent residence from ever becoming eligible. However, the rule included numerous exceptions, such that people who worked in lucrative industries or higher-status positions were allowed to work in Canada on a temporary visa for more than four years. The “four in, four out” rule exemplifies how hierarchies of desirability are created and enforced in immigration law.

Contact with IRCC generated high levels of anxiety for many participants, but this anxiety was compounded by the role Islamophobia and racialization play in shaping immigration policy and decisions. I had the following exchange with KH, director of an agency that supports and counsels racialized women, and one of the counselors, FZ:

FZ: One thing I've seen, in my understanding, South Asian [people] have more problems compared to other people. They're [IRCC] giving a hard time to South Asians.

KH: I think we've been profiled.

FZ: It's so sad. They're really, really giving them back and forth, you know, asking so many questions...

KH: Especially the Muslim community...

FZ: [Working on immigration paperwork for members of the] Muslim community is a *disaster*. Because I am dealing with them. And I know for the little small things [details on applications], they make it so huge...[P]eople are coming [to me

in counseling sessions to talk about it], it's really miserable. But the same thing I am dealing with the other community, it just goes fast [snaps fingers].

KD: So it's a lot more, they need more evidence?

KH: A lot more scrutiny. Particularly Muslim South Asians. And it's very unfair...I think there are double standards.

FZ: We go the extra mile because we know [to expect extra scrutiny]. This is coming back and haunting us because we are South Asian. So we just attach extra extra extra papers [to applications] so there is no question. But still they question.

The concerns about discriminatory treatment raised by FZ and KH were echoed in a later interview with Asmaa. Otherized on the basis of her nationality and religion, she told me that the Canadian government treated her like a cheater. About a recent request for additional information, Asmaa said, "For me, it means they don't trust me. 'Prove this, prove this.' While I was completely true and transparent and did everything to the best of my truthful knowledge." Although Asmaa attributed it in part to coming from a Middle Eastern country where most of the population is Muslim, she believed that holding a Canadian passport would mean being treated better. Asked why citizenship, rather than permanent residence, held such significance to her, Asmaa provided several reasons, including this: "Having had to be randomly searched at every single airport that I've ever been to, 'randomly.' Just flagging your passport and walking to the gate, that's a dream for me. That'd be great." Additional scrutiny and poor treatment on the basis of nationality and religion heightened people's sense of un-belonging related to their

precarious immigration status. It showed people that their qualifications and suitability to become permanent residents were in doubt.

The withholding of belonging at the national scale has repercussions at other scales. Participants encountered un-belonging in specific places across the city, interrupting belonging they may experience within their neighbourhoods or communities. Thus, Toronto becomes both a place to construct belonging and have that belonging ruptured. Yves' experiences at Service Ontario, the provincial government office that issues documents such as health cards and driving licenses, demonstrate how immigration status translates to an uneven landscape of belonging locally. Yves visited a Service Ontario location to apply for an identification document because he did not have an original document from his country of citizenship. Without proof of identification, Yves says, "I felt, like a stranger, like an outsider." He was assured by a service provider that people with his immigration status had the right to request and receive an identification card. But his experience applying for one reinforced his un-belonging:

The first day they *yelled* at me so loud that everybody heard it, and it was so embarrassing... So I go [to Service Ontario], and they're like [pretend shouts in imitation]: "You want to get a photo ID but you're a refugee claimant!" [Yves indicates through his facial expressions and body language he feels awkward because everyone in Service Ontario is now watching]. And I was like [now imitates himself whispering, as he did that day, to keep things private], "I'm sorry. Can I get it?" He said [mock shouting in imitation of Service Ontario employee], "No! You can't!" I'm like, "But I was told, "[Again imitating a forceful voice:] "No! You weren't!" I was like, I couldn't even finish [my sentence]! And then I see his

co-workers laughing and I'm just like, "Okay, thank you." And then I left... [Later] I went back. You know, it's like, maybe it will fall to a different person, and it will be different. I went back. *Same* scenario! They're like, "No! You can't get an Ontario ID!" Loud, and a lot of gestures, and you know. And faces! And I'm just like, "Can you just check please because I was really told that you can get Ontario ID with your work permit." And they're like, "No! I'm positive!" "Can you please double check? Because I was really assured by people who knows, and I know someone who got it in this process. So I just want to be sure." She was like, "Okay!" She went around, I see her talking with her co-workers, they talk for a good three minutes. She comes back, she's like, "Next!" I was like, "Why? Why?" When I went to a different location, I got it like that [gestures to indicate, with no difficulties]. It's just, different location. Different people. Same rules, just one is not willing.

Yves summed up this encounter by concluding, "The whole [immigration] process is really bad, I cannot expect anything else, really." He thereby tied his treatment by provincial employees to national discourses about the importance of immigration enforcement above and beyond the importance of treating people with dignity.

Unlike Yves, who persisted by making multiple visits to Service Ontario until his rights were recognized, Nico did not believe it would be possible to achieve recognition of his rights. He had not taken any action about his outstanding application for a work permit. I asked him about steps he had taken to resolve the issue, and we had the following exchange:

KD: Have you tried going to your MP to see if they can make enquiries about your work permit?

Nico [a bit aggressively]: *My MP? Whose MP?*

KD: [Momentarily uncertain if he doesn't understand my question or if he is making a point about whether a migrant could have an MP. I decide he means the latter] I know. I hear you.

Nico: I'm sorry, was I too aggressive with the answer?

Nico was skeptical that the system that constructed him as un-belonging could be used to reduce the barriers associated with his un-belonging.

As the remainder of the paper shows, participants resisted the exclusionary politics of belonging in Canada by persisting with strategies to maintain their presence and forging new capacities and subjectivities to open possibilities for systemic change. However, despite the forms of belonging participants enjoyed, many also internalized the value judgments made about them that led to being excluded from formal belonging.

### ***Persistent Presence as Resistance***

Among study participants, the most prevalent forms of resistance against regimes of immigration control were what I call persistent presence: remaining in Canada with precarious immigration status, and the practices people adopt to make their stay possible. Persistent presence is related to autonomous migration (Rodríguez 1996), the cross-border mobility by people outside the regulation or authorization of the state. Nestor Rodríguez writes that autonomous migration is

sustained with the support of institutions, including formal ones, at the migrants' points of origin and...destination. Precisely because core institutions (legal,

religious, local governmental, etc.) support this migratory strategy, undocumented migrants do not perceive its moral significance as deviant. (1996, 23)

While autonomous migration refers to the planning and execution of migration across international borders, persistent presence refers to the process of settlement supported by formal and informal institutions, but not supported by the state. Persistent presence is an act of belonging, where belonging is defined by community recognition rather than state recognition. Although no participants had deportation orders, the above section shows that participants interpreted the processing delays, withholding of rights, and increased scrutiny as ambivalence towards their presence. As they remained in Canada, they built social ties, acts of belonging in defiance of sovereign narratives of un-belonging. For many, those acts of belonging and persistence become the basis upon which to make claims to be recognized as permanent residents in Canada. However, the data also suggests some limitations to persistent presence as a form of resistance, for it lacks resistant intent and is limited in its ability to transform power relations.

Participants' decisions to remain in Canada in spite of limitations on their rights and constructions of themselves as un-belonging often mirrored their reasons for coming to Canada in the first place. Some participants remained in Canada because their physical safety depended on it or because they did not have another country where they could achieve any measure of security. Others lacked opportunities in their country of birth. In addition, many participants explained that they had invested a substantial amount of time, emotional resources, and money on building a life in Canada that made the thought of leaving extremely painful. For Emil, it was a combination of these factors:

Like, all these efforts, all these years. I left home in 2006 [studying in the USA before moving to Canada with the intention of earning permanent residence], it was a decade now. Everything kind of going to waste, I can't even imagine that. That would be—yeah. The end of the world [said in a tone that indicates he is joking, but only partially]. I—I—I don't know what I would do. I couldn't go back.

Several members of the focus group, all of whom had arrived on visas that restricted them to care work, also emphasized the desire to have their efforts to become permanent residents or citizens of Canada rewarded. For example, Mary was a physical therapist in the Philippines but had taken a lower status job in Canada as an investment into the future of herself and her children. While talking about the barriers to permanent residence that she had not anticipated, Mary said, “We don't mind doing the cleaning, cleaning toilets or whatever. Because that's how it is. You have to work hard if you want something.” She did not feel that doing care work was unjust, but having done that work Mary wanted the chance to enjoy a return on her investment.

For Paul, remaining in Canada meant being able to remain connected to place-based ties and living out the life he had built with his husband. Doing so with permanent residence would mean the couple would enjoy security in their life together, along with more flexibility for Paul to change jobs without needing to apply for a new visa. Although Paul held a temporary visa at the time of our interview, he has other forms of privilege in Canada. He is racialized as white, speaks English as a first language, has qualifications that are recognized in Canada, and could safely return to the country where he holds formal citizenship. Throughout his interview, Paul acknowledged his privilege compared to what he imagined others with precarious immigration status

might feel. In spite of this privilege, Paul identified worries related to his status. Paul is from a European country that recognizes gay marriage and allows for sponsorship of same sex partners for the purpose of immigration. However, Paul's family was not accepting when they found out he was gay. Following their negative response to his coming out, his relationship with them is strained. In contrast, Paul has a thriving professional, family, and social life in Toronto. Paul places a high value on continuing to live with his husband in Toronto, as opposed to in his country of citizenship. Paul explained,

At this point, I've got a life here. I've got a lot invested in Toronto specifically...My life in [country] doesn't exist in the same way that it did three years ago or six years ago. Whereas my life here is pretty great! I have a church I go to, I teach Sunday School as well... I have a house. I know my neighbours, I like them all. They like me. This [new] job that I got, a lot of it is because of [professional] relationships I've been building.

The combination of time away from his home country and the falling out with his family has diminished his attachments there. In contrast, Paul has fashioned a dense web of ties to relationships, communities, and activities based in Toronto, all of which are sustained through regular face-to-face contact. For Paul, persistent presence is what connects him to the things that are important to him, and those things are specific to Canada.

Because people with precarious immigration status face limitations on rights to claim forms of government support, participants relied upon their communities and informal support networks to help them with difficulties they faced—providing information about their rights, supporting them when they experienced stress related to

family separation or other immigration-related challenges, helping to mitigate against homelessness or poverty, or helping them develop a feeling of belonging. Those connections are what make it possible for people to persist in spite of restrictions they face in meeting their emotional and material well-being. Yves, Siva, Catalina, and Mei were in contact with family members living in the Toronto area and talked about advice or support they had received from their families. For example, Catalina lived with her brother upon arrival, and Siva visited regularly with his parents and siblings.

Unsurprisingly, participants with the most robust support from family, community, and nonprofit organizations exhibited less distress over their precarious immigration status. Participants who came to Canada without pre-existing support networks sought them out. The following exchange during the focus group shows how newly arrived caregivers quickly formed community ties that would sustain them, which was made easier by the high number of Filipinas holding visas as live-in caregivers in Toronto:

KD: Are there opportunities to make friends and to get to know other people, or do you feel quite isolated?

All: No. No.

Pearl: If you see someone, the good thing about the Philippines is, if you see some Filipino [in Canada], you are like, "Oh, we are friends already." Because we are Filipinos. [All begin to chuckle and add to what Mary is saying: "Yeah. You're Filipino." "You're friends. "And they introduce you to *their* other friends!"]

Lina: So it's like networking!

Mary: And one thing that is different from the Filipino community compared to Canadians is that if you have party—

Pearl: You have to have appointment [invitation]!

Mary: If you invited me, I can't bring [someone with me]. With Filipinos [all begin to chuckle] if I invited you and you bring 10 more, and you're the one invited and bring also others, that's fine with us.

KD: So that party gets big very quickly.

Mary: That's what we call invited by the invited by the invited. And then you come, you don't feel like you're not welcome. They welcome you.

Pearl: Yeah, so be careful! [All laughing]

Mary: Be careful about inviting us! [More laughing] Yeah.

KD: So the first time you get invited to a party, you meet 100 people and then you don't have to feel isolated anymore?

All: Yeah.

These ties were formed easily on the basis of solidarity with fellow live-in caregivers from the Philippines, and they leveraged those ties to help them cope with the hardships they faced.

Compared to other newcomers to Canada, Filipina women who have immigrated through the caregiver program have been especially effective at organizing, creating grassroots agencies that support people working as caregivers and lobbying the Canadian government for changes to the conditions associated with caregiver visa programs (Bhuyan et al. 2018; Caregivers Action Centre 2019). Although the focus group discussion emphasized informal, rather than formal, support networks, it was

clear that the networks were leveraged not only to make friends and combat isolation, but also to share key information about successfully navigating the immigration bureaucracy to gain permanent residence and to access family reunification in a timely manner. Later in the discussion, the women talked about how they drew upon one another to get support with immigration related problems, especially delays in applying for permanent residence and navigating confusing changes to the live-in caregiver program. They used the experiences of fellow Filipinas as a resource to guide them or asked one another what organizations might be able to advise them on their individual circumstances.

AG, director of a counseling service, explained that she advised people to seek opportunities to build relationships and sense of community if they were not doing so already: “Being in communities is very important... [I tell people:] Have a life. Have your children in school activities. Live a very good, quiet life. But be out [of the house.]” Service providers at refugee housing providers offered a number of social events and activities to ensure their residents meet people and feel cared for. NE, the director of an agency that houses people claiming refugee status, expressed that she did not see many residents struggling with isolation. “We try really hard to get people involved in things. I think the fact that they’re living in [agency] balances that out a little bit.” As participants created and deepened their ties in Toronto, they felt a stronger sense of belonging and were increasingly recognized as belonging by those around them. Their sense of belonging, along with the support they received, helped make persistent presence more possible and mitigated potentially harmful effects of precarious immigration status. Several service providers, however, mentioned that they believed a significant number

of people with precarious immigration status were not connected to any support agencies, particularly those living in rural areas or smaller towns in Ontario, and they worried about how those people fared.

In addition to maintaining persistent presence for the purpose of accessing communities, opportunities, and relationships based in Canada, presence is also foundational to accessing territorially-based rights (Allon 2013; Bauder 2015; Carens 2008; Coutin 2010; Sawyer and Turpin 2005; Varsanyi 2006). As Joseph Carens (2005; 2010) argues, persistent presence can, and should, become the basis upon which to make moral and legal claims to formal belonging in terms of more secure immigration status. The refugee determination process depends upon physical presence, and people who leave while their application is pending have their cases closed. Participants holding work or student visas used their presence in Canada to accrue education, job experience, and time that would make them eligible for permanent residence. Mei, a recent graduate, was looking for a job that would qualify her for permanent residence. Asmaa and Emil, who had already qualified and applied for permanent residence, reflected during their interviews about how the need to stay in Canada put extra pressure on their job search after they received their degrees.

Leveraging persistent presence as a strategy to gain permanent residence received the most attention in the focus group. Throughout the meeting, it was a topic the participants returned to repeatedly, and one the participants said they frequently discussed among themselves.

KD: So let's say you're in a group of Filipinas at a party, do people complain a lot about live-in caregiver and PR? Changes to the program?

Pearl: Oh, yeah!

Mary: Every corner, every day, every Facebook wall. You will see.

Lina: If you're in a subway, sometimes you just start talking, and the conversation will go. You get asked, "Oh, are you still...?" "Yeah." And suddenly it's going to go, and then you'll find a lot of stories.

The issue was so important because frequent tinkering with the rules of the live-in caregiver program along with processing delays made the system confusing.

Participants needed practical support to ensure they were following the rules, to prepare their applications for permanent residence, and to resolve issues when cases continued past the expected processing times. In the following exchange, participants used their cases to exemplify common problems:

Lina: She [pointing to another woman in the group] came here under the live-in caregiver program, the old system. And she's wasted 11 months on childcare. Now she found her another employer and her LMIA is under the new pathway, and she spent ten months, and all the 11 months from the live-in caregiver program is wasted... She cannot apply for permanent residency in November because of that issue...You have to complete the 24 months within four years from the time you come. So imagine the 11 months she wasted.

Cheska: That's what happened to me. Because when I came I did not finish that 24 months within four years because I changed employer. And that time, when you changed your work permit to another work permit, you have to wait for six months. Six long months...I did not complete. And then they refused my application for PR.

Ultimately, participants wanted to make sure they used their persistent presence in Canada in a way that would secure, rather than hinder, the possibility of future stay in Canada.

This use of persistent presence to gain permanent residence exemplifies agency or, what Christopher Kyriakides et al. (2018) term “self-rescue,” rather than resistance. Participants did not engage in persistent presence as a form of protest against practices of immigration control in Canada, but rather to achieve personal aims while following the rules as closely as they could. Formal belonging in the form of permanent residence was an object of desire for all participants, rather than a category that was rejected. All participants were at various stages in the journey towards permanent residence: regularizing status after being illegalized, carefully complying with the conditions of their current immigration status, or waiting for a decision on an application for refugee status or permanent residence. Although participants were motivated to persist in their presence in Canada despite their marginalization, their goal was not to engage in persistent presence without state sanction indefinitely. Rather, they sought to facilitate their path to permanent residence such that they would no longer need to engage in persistent presence. In this sense, the persistent presence of participants resembles Bayat’s (1997) quiet encroachment of the ordinary—acts of necessity undertaken quietly and individually to survive hardships—rather than a method to undermine the legitimacy or success of immigration control.

Secondly, the transformative potential of persistent presence is ambivalent. Participants’ determination to stay in Canada shows that they valued their presence. They understood their presence as transforming their everyday lives and opening up

futures unavailable to them elsewhere. Furthermore, research shows that migrants' presence alters the rhythms and social fabric of cities in ways that are distinct to the productions of space in those cities (cf Burman 2006; Darling 2017; Lefebvre 1968; Nelson and Hiemstra 2008). More broadly, the effect of persistent presence on regimes of immigration control is more difficult to define or has not yet come to pass. Neither the persistent presence of people with precarious immigration status nor the efforts of post-political movements have yielded significant shifts in immigration policy. While this research underscores the point that states cannot exercise complete control over entry and presence (Freeman 1994; Joppke 1998), policymakers continue to pursue policies that maintain their management of borders and immigration.

Like autonomous migration, persistent presence represents an important, but at times overlooked, evidence of migrants as active agents rather than passive victims or *homo sacer*, even if such practices merely reshape how exclusion functions rather than eliminate borders entirely (Nyers and Rygiel 2012; Rodríguez 1996; Walters 2008). However, there are limits to the transformative potential of persistent presence for participants. While persistent presence did give participants continued access to Canadian territory and the benefits offered by presence, its success at transforming the conditions of that presence was limited. Moments of un-belonging accumulate, as does the harm caused by un-belonging. One manifestation of this harm, participants' internalization of immigration status as a symbol of their unworthiness, is explored further below.

## ***Research Participation as a Form of Resistance? Bodies Coming Together, Narrative Redefinition, and the Internalization of Status***

Throughout their time living with precarious immigration status, participants developed critiques about the ways they were characterized and treated as undesirable and un-belonging, as well as about the immigration system in Canada more generally. In a few cases, participants cultivated the capacity to use their experiences to drive change through forms of oppositional politics, either through public speaking or planning careers relating to social justice. More often, however, the participants reserved their critiques for private settings with people they knew and trusted. In this section, I explore briefly instances of agonistic politics before turning the focus to research participation as a possible site of resistance. I show that research participation is an instance of “bodies coming together” (Butler 2011), during which participants can critique immigration policies and practices that hold them to be lacking in qualities that contribute to the Canadian nation. Interviews and focus groups functioned as a place for claims about their desirability to be heard and recognized. I argue that these opportunities for narrative redefinition are crucial, but insufficient to overcome an internalization of immigration status as evidence of their own undesirability.

Precarious immigration status can shrink the possibilities for oppositional politics to flourish. Some people with precarious immigration status fear drawing attention to themselves in case it heightens the risk of deportation or a negative decision on a pending application for stay (cf Schmauch and Nygren 2014). Reluctance to engage in visible forms of oppositional politics are not ubiquitous among people with precarious immigration status (cf Wong et al. 2012), but it makes sense among people

who are excluded from electoral participation and potentially deportable. Following trends across the Global North, Canada has gradually stepped up its target levels of deportation (Nyers 2018), including deporting several community activists in recent years despite anti-deportation campaigns on their behalf (cf Toronto Star 2017; Solidarity Across Borders 2018).

In spite of the risks, several research participants organized or spoke at public events to contest the conditions of Canada's immigration regime. In the opening quote to the article, Julian listed off a number of activist groups in which he participates. He spoke out about his experiences in the hopes that the immigration regime would be improved for others. Julian said,

Going through that helped me shape the way I see things and it definitely opened my eyes. But also I, I wouldn't like anyone else to, you know, go through that...at some point I would like my relatives to come over here. And I wouldn't like them to go through the same thing...So I was like, no. Something needs to be done. And there's a lot of people suffering. And, what's the [point]... I thought the whole point, you know, was to help each other for humanity's sake.

Julian also described an upcoming meeting organized with the federal Minister of Immigration, Citizenship, and Refugees. He, along with several friends, had been chosen to talk about the impacts of long processing times. Julian had been waiting for two and a half years, but his friend's asylum claim had been pending for four years with no decision. He described his friend as "so pumped to meet [the Minister]" to tell him exactly what she thought. When Julian did engage in confrontational political tactics, he was supported by organizers or agencies active on migrant justice issues. He joined the

organizations, but it was the organizations that asked Julian to speak. Julian's familiarity with the organizations helped him feel confident that he would be safe if he did so.

While not everyone had sought opportunities to speak out in public to criticize Canada's immigration regime, participants did seek out opportunities to resist such that their voices could be heard. They did so by participating in the research project and using participation to critique the Canadian immigration regime. Most often, these critiques focused on how participants had been wrongly undervalued or mistreated and the harm that regimes of immigration control had caused them personally.

Research participation as a form of resistance was most apparent in the case of the focus group. While I had originally planned to use focus groups as a primary methodology, I found during fieldwork that focus groups were nearly impossible to organize and turned instead to individual interviews. Towards the end of my fieldwork period, Mary found out about my study through a mutual acquaintance. She took it upon herself to get in touch with me to say she was interested in the topic and would be able to bring together a group of women to participate. Mary found a venue, an immigrant-serving agency that supported many people working as live-in caregivers, and spread the word about the date and location of the research. After struggling to put together focus groups, Mary put one together for me. The focus group was made possible by informal networks of support that women in the live-in caregiver program developed to support their persistent presence. Much as they used those networks for support, they also used the network to bring people together to talk about the negative effects of living with precarious immigration status.

Participants in interviews and focus groups were very motivated to discuss their critiques Canadian policies. When, at the end of our interview, I asked Siva if there was anything else he wanted to say, he returned to the issue of processing delays. “Why don’t they try to go a little fast or efficient?... That’s my question.” He felt that delays in processing were wasting his time and thwarting his potential to contribute to Canadian society. In contrast to Siva’s mild critique, Asmaa spent much of her interview denouncing her experience with the Canadian immigration regime. She had carefully researched the pathway to citizenship before coming because access to citizenship was Asmaa’s primary criteria in choosing where to immigrate. Asmaa said it was “horrible” to witness changes to immigration rules that lengthened the time to become eligible for citizenship. She characterized herself as depressed about her situation and afraid of what would happen to her immigration application. Asmaa felt upset that she had been deceived into expecting Canada to welcome immigrants, when in practice she was treated as un-belonging and with a high degree of mistrust.

In her lecture on “politics of the street,” Butler argues that public assembly requires the support to do so, even as assembly creates and reconfigures public space: “[I]n the case of public assemblies, we see quite clearly not only that there is a struggle over what will be public space, but a struggle as well over those basic ways in which we are, as bodies, supported in the world—a struggle against disenfranchisement, effacement, and abandonment” (2011). Butler builds on Arendt, who suggests that the true space to appear is between people, acting and speaking together. Butler is also concerned about forms of violence that inhibit bodies from coming together in public demonstrations. In this view, participants’ appearances before me, divulging their own

experience and critiquing their treatment, may build support to legitimate the claims and needs of people with precarious immigration status. However, the spaces in which bodies are supported to come together in this way remain limited.

Interviews and focus groups also served as spaces in which participants could use narrative redefinition to resist discursive constructions of themselves as undesirable, unworthy, and un-belonging. In this respect, involvement in research can be similar to the ways in which participants forge belonging beyond the state and develop capacities to engage in political projects. These new subjectivities support their own persistent presence and the future presence of other migrants. However, not all new subjectivities I observed among participants supported resilience. My fieldwork also captured new subjectivities that reflect an internalization of unworthiness, even as participants reject portrayals of themselves as undesirable.

A few participants and service providers raised the issue directly, stating that people with precarious immigration status begin to believe they are unworthy members of Canadian society. But as I reflected about the concerns raised by a few participants and service providers about internalization of hierarchies of desirability, I recognized that many participants had raised the issue indirectly. Specifically, without being prompted to do so, participants used the interviews and focus group as spaces in which they could assert themselves as worthy and desirable members of the Canadian public, tacitly showing the power of discourses that tell them otherwise. Narrative redefinition is an important site of struggle and resistance (Caraccioli and Wright 2015; Smith 2015), but the struggles with (un)belonging show that participants' resistance is painfully incomplete.

Some scholarly literature discusses how constructions of un-belonging have powerful impacts on ways people understand and value themselves. Laura Simich has observed that

non-status migrants resist being characterised as 'illicit' or in the wrong. They contrast their own moral sense of doing what is right and necessary with perceived negative public attitudes. This may be a psychologically defining act for migrants, whose personal motivations, self-image and resolve are heightened through the experience of being non-status. (2006, 24)

Khaled Koser writes about the impact of criminalization on people's identities. One of his participants told him, "[S]ometimes it seems that no one else thinks I am a refugee. They treat me as something different, as a criminal. And there have been times over the past year when I have wondered whether they're right" (Koser 2000, 101). These passages resonate with my findings, which show that participants are simultaneously engaged in rejecting and internalizing a sense of themselves as people who cannot or should not belong. It exemplifies what Butler identifies about the challenges of agency, given that people are dependent upon those around them: "[T]he 'I' that I am finds itself at once constituted by norms and dependent on them but also endeavors to live in ways that maintain a critical and transformative relation to them" (Butler 2004b, 3). These contradictory processes are emotionally exhausting, and they undermine the quality of participants' persistent presence.

Siva detailed some of his business ideas, importing or designing various of products, and delivering them. He already knows people both in Canada and abroad whose services he can contract and went so far as setting up agreements with those

people. He went on, then, to point out how the plans are laid out, but it is difficult to get a bank loan. Thus, he can only put his plans into place if he finds a business partner.

So try to use me. That's my question. I am not doing anything bad for this country.

I didn't do any illegal work...I have knowledge. So I can give my knowledge and my skills to contribute to this country's development in all the ways...If I try to do some business, I can create jobs for somebody. That's what they need, right?

He emphasized himself as knowledgeable, law-abiding, and with a serious business plan than can contribute to Canada's future. He seemed both bewildered that he would not be allowed to contribute, but insistent that he had something to contribute.

Asmaa has struggled with social exclusion more broadly. She is used to deeper levels of friendship and finds that people in Canada keep friendships more superficial. She did not feel a strong sense of belonging either through her relationships or through formal status. Asmaa hoped that being productive and being seen as productive, would help strengthen both her immigration case and her feelings of belonging:

But it's good. I feel productive...I feel in the Canadian culture there's a high emphasis on productivity. Your value is somehow synonymous with your productivity. Even when people greet each other, "Have a productive day!" Or, "I had a productive day." So it's a very important evaluation, measure. Previously I was not feeling productive, so I felt that I could not really earn my place in society here. Now that I have that, I can say that I'm productive, hopefully I'll feel better. I can tell people, "I'm a productive member of society!" ... I don't really associate my value with my constant productivity. But down time here is not something people

are necessarily happy about. I feel it might be a key or an access for people to better see me. But I hope it won't be the only way of defining myself.

Her new perspective on work shows that Asmaa internalized, while also interrogating, the need to be productive. Additionally, she internalized suspicion that arises from racist discourses which are building blocks of immigration control. When 'randomly' selected for extra checks while traveling, Asmaa told me that she finds herself thinking, "Oh my God, *am* I carrying a missile? I don't know! Am I? Why are they searching me?' They make you doubt yourself."

In spite of efforts to position themselves as belonging and desirable in interviews, everyday life, and immigration applications, several participants do so while struggling against an internalized sense of themselves as unbelonging. Antoine described precarious immigration status as "that state of mind." When asked to clarify, Antoine went on to say,

You know, you just, it's just feeling that, "Oh, shit, I'm not permanent here." That's it. That's, it's just a state of mind. It's a big barrier. You know, it's like, I feel like I'm hanging out with someone who is a citizen or permanent resident, I just, you know, automatically I already feel less. I would feel, you know, status-wise lower than that person... I pretend a lot. I pretend a lot. When I come out, I know people, no one thinks. But when I go back and am by myself, yeah, I think about it a lot. I think about it a lot. It causes a lot of sleepless nights, too.

Several service providers also voiced concerns about the way people internalize their immigration status as a symbol of their lesser value. AG described how holding a marginalized immigration status affects people.

It affects how you feel about yourself and think of yourself. You start blaming yourself, internalizing that, as if there is something wrong with you. And so your self-esteem goes down. You start feeling guilty. [People believe that] Because of you, your family suffers. You're nobody. You're a worthless person.

AG continued, "My clients tell me, people feel like they're inferior. People feel inferior. Someone even said to me, 'I feel inferior to you. Because you're here and you have status and I don't, so I am a less valuable person.'" Another service provider, RM, worried not only about the material conditions people experience associated with immigration status, but also the way it affects sense of self. RM said, "it creates this self-sense of second-class citizen, or second-class human being. And my biggest problem is people are interiorizing that, they are accepting that." Participants' efforts to convince me of their desirability shows that the exclusionary politics of belonging has influenced the ways they view themselves and the ways they expect to be seen by others.

### **Conclusion**

Like immigration control more broadly, discourses of un-belonging and undesirability remake subjectivities. The slow violence of marginalization on the basis of formal immigration status, along with the new capacities they produce, is evident in the case of Julian, quoted at the opening of this paper. During our interview, Julian conceded that although he appears to have maintained his usual positive attitude, living with precarious immigration status has gradually transformed that positivity from genuine into a façade. Of his underlying negativity, Julian said, "But that's not the person that I was, I was *made* this person. Circumstances make me that person." A moment later, his voice brightened as continued: "But I'm positive about life. And I know that things

change. And also, you can't let the whole situation control you because if it does control you, you really are losing it."

The research findings affirm theories of resistance as intricately connected to the power relations which are being resisted (Sharp et al. 2000b; Sparke 2008). In particular, the findings show that people with precarious immigration status in Canada may not engage in visible oppositional forms of resistance because they are invested in gaining recognition from the very immigration regime that is restricting their opportunities to lead fulfilling lives. This investment limits how people engage in resistance. Yet pushing back against regimes of immigration control need not be visible to hold the capacity to be transformational. While the research did not capture examples of immigration laws and practices being transformed by participants' resistance, it does show how people's own lives are reworked through their persistent presence and their narrative redefinition of themselves in the interview setting. More broadly, people's agency undermines the extent to which the Canadian state functions as the arbiter of who belongs, a rupture that may ultimately open up space for future structural change.

I have argued that participants build lives and identities as well as intensify social ties, thereby redefining belonging. They are active agents in steering their own lives, prior to migration and in pursuing strategies to migrate and be granted permanent residence. Oppositional politics and aspirations to work in the field of social justice show how people with precarious immigration status can plant the seeds for long-term systemic change. Yet resistance is hampered by participants' need for recognition of belonging in the form of permanent residence, a formal immigration status determined by the Canadian state. When the state withheld permanent residence—whether by

assessments of ineligibility, changes to the pathway to permanent residence, or long processing times—it demonstrated a construction of participants as undesirable and unbelonging. While objecting to this construction, participants simultaneously internalized it. This paper shows that resistance among people with precarious immigration status is fraught. Resistance is necessary to fend off internalization of undesirability and to support persistent presence. At the same time, internalization shows that the efficacy of resistance to prevent internalization is limited.

## **Chapter Seven: Conclusion**

This dissertation emerged from my concern about the slow violence of living for long periods of time with precarious immigration status in Toronto, Canada. I conducted the research to find out how precarious immigration status affects geographies of everyday life. In particular, I wanted to analyze spatial variation and temporal dynamics that make the effects of precarious immigration status uneven across space and time. Temporal geographies of migration and settlement are an emerging area of study. The research elucidates some of the challenges and risks people with precarious immigration status face in building and sustaining what they consider to be a livable life (Butler 2004b), helps to refine theories about immigration status and precarious immigration status, and suggests avenues for further research. The goal of this chapter is to summarize the main empirical findings, to explain how findings contribute to the literature within the fields of geography and migration studies, and to highlight questions raised by this study that merit further research.

### ***Empirical Findings***

The dissertation addressed the impacts of precarious immigration status by an empirical study in Toronto, Canada. The findings are presented in three chapters. The first substantive chapter examined the various ways that formal immigration status is experienced in everyday life and the factors that affect those experiences. The second substantive chapter analyzed how uncertainty about the future, a condition of precarious immigration status, influences people's temporal orientations and their allocation of resources. The third substantive chapter explained what types of resistance were used among research participants and examined the factors that limit acts and

transformative effects of resistance. In this section, I draw from insights across the three chapters to summarize the findings in terms of guiding research questions.

The dissertation asks how people experience precarious immigration status, and what factors explain the variation of experiences across time and space. The research shows that participants were negatively affected by precarious immigration status. This finding was anticipated, since people were invited to participate if they self-identified as having problems or worries relating to immigration status. However, the research demonstrates that people closely attributed the challenges they faced in Canada to precarious immigration status. They used strong language to characterize the role of immigration status in their life, using words and phrases like “poison” and “I lost my life.” They described themselves as “rejected,” “depressed,” and felt less worthy than others around them. Furthermore, the study reveals the source of the negative effects and identified factors that exacerbated or mitigated those affects. Negative affects related to material circumstances, such as difficulties finding good jobs, barriers to accessing education, limited access to health services, and low housing quality, have also been documented in previous research (Kissoon 2010; Landolt and Goldring 2013; C. Rousseau et al. 2008; Steele Gray et al. 2010; F. Villegas 2013). This research suggests there are significant emotional, social, and affective consequences, including worries about the ability to gain permanent residence and citizenship in Canada, an internalization of feelings of undesirability that arose from being deemed not yet worthy of holding permanent residence or citizenship, and difficulties engaging with the present and future in the face of uncertainty.

The negative effects were not uniform, but rather uneven across space and time. For example, participants felt more comfortable when they were at work or volunteering, in places they were busy working towards common goals alongside colleagues. They were also more comfortable in a space explicitly welcoming to people regardless of immigration status. Participants experienced distress in spaces where services or respectful treatment might be denied on the basis of immigration status and would become nervous before going to places such as interviews, doctor's offices, and Service Ontario. They were also more worried about immigration status at home, where they were less able to forget about problems associated with immigration status. The research suggests three factors at play. Firstly, home is the physical location where a letter might arrive notifying them of a decision on a pending application, and thus it is a place where they are reminded of the lack of notification. Secondly, the relative quiet of home, especially while doing housework or awake in bed, made it difficult to distract themselves from their worries related to precarious immigration status. They reflected on what they did not have, or what they did not feel comfortable seeking for themselves—a sense of security, goals for the future, and a sense that their everyday activities reflected their own desires, priorities, and choices. Finally, many participants avoided engaging in homemaking. They furnished their home with the barest essentials or donated items or refrained from decorating their home with personal effects. Their homes were functional but impersonal, feeling less like a home and more like a place where they ate and slept until they felt secure enough to engage in home-building. The influence of precarious immigration status upon homemaking remains an emerging field

of study, both in Canada and abroad (Brun and Fábos 2015; Doná 2015; P. Villegas 2014).

Some participants became more worried about their immigration status gradually over time, for example as they waited for a decision on their case or as they became more tired and frustrated with the conditions of living with precarious immigration status. Others found that particular moments exacerbated worry about immigration status, for example when their visa was close to expiring and they needed to ensure they qualified for another visa, or when they wanted to enroll in university. Sometimes alleviation of a particular problem yielded an improvement in people's quality of life, for example moving out of a homeless shelter or finding a good job. However, resolution of specific issues did not lead to a general upward trend in satisfaction with life, merely a correction of a particularly low period. None of the participants suggested that people's experience of precarious immigration status steadily improved over time.

Uncertainty about the duration of application processing times and pathways to permanent residence constitute a significant barrier to coping with precarious immigration status. Duration is uncertain for a number of reasons. Processing times are affected by number of staff and number of applications. For refugee claimants, processing times are also affected by systemic changes to the determination system. The time required to become a permanent resident is also rendered ambiguous by shifting eligibility requirements. During the course of fieldwork, changes were made to the minimum qualifications required of people working as live-in caregivers, and limits were placed on the type of work that would qualify caregivers for permanent residence.

Additionally, the government increased the residency requirements for citizenship, making the whole process from arrival to citizenship take longer. Pathways to permanent residence are also complicated by factors outside the direct purview of the immigration regime, namely periods of unemployment or ability to find a job that would qualify a person for permanent residence.

The uncertainty of duration made it difficult for people to approach periods of precarious immigration status. Participants reported that having accurate information about timelines, whether processing times or eligibility requirements, would have dramatically improved their settlement experience in Canada. It would have made them feel more respected and valued in that their time and well-being would have been considered important enough to address. Many people said that the gap between immigration policies on paper and their lived experience of navigating the immigration system made them question the positive messaging about Canada as a country that welcomes newcomers. Much of the perceived gap related to changes in timelines and eligibility criteria. Without accurate information about the timelines for a refugee decision, permanent residence, and eligibility for citizenship, participants faced dilemmas about how to spend their time and resources.

The extent of the negative effects were influenced by people's migration motivations, migration trajectories, forms of community support, and ability to access formal rights in practice. Regardless of whether or not they were applying for humanitarian protection in Canada, people who came from countries to which they felt they could not return experienced more difficulties coping with long periods of precarious immigration status. Participants who had a good chance of becoming

permanent residents still strenuously denounced the conditions of precarious immigration status, in particular long wait times and frequent policy changes at the same time that they acknowledged their own privilege. Participants with the strongest support networks—whether a substantial relationship with a nonprofit organization providing services, close family who could offer assistance, or the ability to access goods and services to which they were entitled—fared better than those with fewer or weaker support systems, or those who had more frequently encountered being denied social goods to which they were entitled. This finding shows that precarious immigration status emerges from the way formal immigration status reverberates through people's everyday lives, and that those ways vary across time and space. These spatial and temporal variations have received little attention in the scholarly literature until now.

The second research question asks how people adapt to living with precarious immigration status, and what are the limits and risks associated with these adaptations. Three ways of adapting emerged from this research: a temporal orientation of suspending engagement with everyday life and the future, a temporal engagement of embracing engagement with everyday life and the future, and efforts at narrative redefinition of themselves, from undesirable migrants to desirable members of Canadian society who had much to contribute. In some cases these ways of adapting were pursued intentionally. In other cases they reflect my analysis of people's descriptions of their embodiments and habits, where those embodiments and habits have been adopted tacitly or through lived experience. The risk of suspending engagement was that people lived everyday lives that did not reflect their priorities and desires, making a highly restricted and painful everyday life that reminded people of the

limitations of their immigration status. The risk of embracing engagement was that people were investing in a future that could be denied to them; that they were growing roots that might be forcibly uprooted. When people thought about the possibility of losing access to the relationships and plans they had built, they expressed pain. The responses of withholding or embracing engagement in everyday life each came with risks and limitations. Therefore, many participants oscillated between both temporal orientations. Participants would have been better equipped to negotiate the risks and limitations associated with the two temporal orientations with more information about the length of time they would hold precarious immigration status.

Participants responded to the effects of precarious immigration status on their claims to membership in Canadian society by attempting narrative redefinition—seeking to assert their desirability and have that desirability recognized. Participants used research participation as a space in which they could redefine how they were seen by others, namely me. They framed their desirability as members of Canadian society in terms of social and economic contributions. They spoke of business plans, future careers in social services, themselves as future employers, and their potential productivity. Participants denounced the ways that precarious immigration status restricted them from advancing towards these potential future contributions. They were concerned that their limited contributions, born of restrictions, affected how they were perceived—according to criteria for permanent residence, but also according to possible employers—as people with limited potential contributions and therefore not worthy of permanent residence. The research revealed that several participants continued, in spite of efforts at narrative redefinition, to internalize their immigration status as a sign that

they were not as valuable as people who hold Canadian citizenship. This evidence was reinforced by several service providers who indicated that they had seen signs among clients that people internalized their precarious immigration status. This suggests that narrative redefinition is limited in its ability to transform people's sense of themselves as undesirable and shows the extent of the harm of treating newcomers as unworthy.

### ***Research Contributions***

The research contributes to empirical knowledge about how precarious immigration status functions in the Toronto context. This empirical knowledge can advance the fields of migration studies and geography. In this section, I elaborate three research contributions: a conceptualization of immigration status, a refinement of the definition of precarious immigration status, and empirical data that supports existing theories of time, the private sphere, and the relationship between power and agency.

By using a critical geographical lens to situate immigration status in socio-spatial relations and their temporal dynamics, I developed a conceptualization of immigration status and used that conceptualization to refine the definition of precarious immigration status. When immigration status is used as a proxy for rights, vulnerability, or migration motivations, scholars tacitly reproduce the idea that formal immigration status, or status as a migrant, trumps other identities and social relations (Bakewell 2008b; Bosworth and Guild 2008). It suggests that formal immigration status is not a dimension of identity that intersects with others, but rather a dimension whose meanings are pre-given.

The empirical findings show that the meaning attributed to formal immigration status varies across individuals, as well as across space and time. My analysis shows that

formal immigration status is the outcome of people's negotiation of an intricate and ever-changing tool of statecraft. Thus, formal immigration status is a subjective and partial view of that person: reflective of whether a person can demonstrate they have the qualities desired for a particular relation to the state. Furthermore, my research shows that although formal immigration status is strongly associated with rights and restrictions, access or lack thereof play out differently in individuals' social lives. Some people have a greater need for recognition of their rights, and some people are more likely to recognize the rights of migrants than others. This means that people's capacities and identities in relation to communities beyond the state have a significant impact on their experiences of living with the restricted rights associated with precarious immigration status. People are affected by their need for refugee or humanitarian protection, their need to maintain family unity or achieve family reunification, the availability of strong community support systems, and their access in practice to key services such as legal advice, health care, and adequate housing.

The term precarious immigration status was developed to contest the rise of temporary migration to Canada while drawing attention to the conditions shared by people across formal immigration statuses (Goldring, Berinstein, and Bernhard 2009; Goldring and Landolt 2013), and it greatly influenced my research. The observation that people with different formal immigration statuses may share conditions, whether those conditions are fixed in immigration law or byproducts of law, is reinforced by my findings. However, I used a modified definition of precarious immigration status, in which people self-identify as precarious rather than assuming that everyone with certain formal immigration statuses experiences precarity. My findings about

immigration status—that it affects people differently, and that an individual’s experiences of status vary across space and time—suggest that the conceptualization of precarious immigration status should account for the ways people are multiply embedded in social relations. It shows that precarious immigration status should be understood as arising from intersections between formal immigration status, social networks, support systems, desires, and capacities, rather than arising from immigration status alone.

The empirical findings are also significant because they validate geographical literature on time and waiting, as well as on the so-called private sphere as inexorably linked with discourses and power relations in the public sphere, in the empirical case of precarious immigration status in Canada. Geographies of affect have been interested in several dimensions of time—the relationship between future and present, waiting, and the affective textures of the passage of time (Ben Anderson 2004; Ben Anderson and Adey 2012; Bissell 2007; 2011; Brown et al. 2012; Jeffrey 2008)—several themes that have animated this research. Waiting is often conceived as stasis or the absence of activity. Indeed, studies of waiting among detained and non-detained forced migrants frequently note that participants speak of being stuck and of being forced to put life on hold (Allsopp, Chase, and Mitchell 2015; Brekke 2004; Brighter Futures 2013; Rotter 2010; P. Villegas 2014). But geographies of waiting suggest that waiting should not be conceived as lack of meaningful activity or action. Periods spent waiting can be used to strategize, plan, negotiate, and engage in activities. They are periods rife with potential in which new subjectivities and political movements may emerge (Bissell 2007; Jeffrey 2008). Few studies of waiting among people with precarious immigration status draw

upon these geographical insights to interrogate what “life on hold” entails, attending to what people do and the distinctive affective textures of the doing (for exceptions, see Brun 2015; Rotter 2016). These empirical findings provide evidence to support a view of waiting as active among people experiencing long-term, non-detained precarious immigration status.

The empirical findings also corroborate Pierre Bourdieu’s theorizations about the relationship between time and power. Bourdieu links the uneven distribution of time and waiting to power and class. Those with power do not wait, but they make others wait (Bourdieu 2000). The research shows that the people caught up waiting to become eligible for permanent residence or to have a decision on their case are people whose membership in Canadian society is considered less desirable. It demonstrates some of the violence that waiting in the immigration system inflicts on those who are made to wait.

The research shows that, among participants, home was a space particularly burdened by precarious immigration status. This finding reinforces feminist work that questions the public/private dichotomy and shows home to be an ambivalent space (Blunt 2005; Domosh 1998; I. M. Young 2005). It suggests that political processes and intimate spaces are inexorably connected. Home is not a space beyond the reaches of state logic and immigration control. Rather, people’s decisions about housing and homemaking are caught up in wider political processes. Therefore, time spent at home serves as a reminder of those political processes. For many participants, their sense of being “not quite there” (Coutin 2011) was heightened when at home or when homemaking.

Finally, the empirical research offers evidence of how resistance must be studied in relation to that which is resisted (Sharp et al. 2000a; Sparke 2008). It shows that resistance against regimes of immigration control are limited by those same regimes. People fear deportation, desire permanent residence, and are influenced by discursive constructions of themselves as undesirable. The findings echo the writings of Butler (2004b) on agency as fraught in that we are dependent upon those around us, even as those around us are in a position to participate in structural violence against us. The research suggests that participants struggled to achieve a transformative relation to norms that constitute them as unworthy members of Canadian society, as well as the importance to one's self worth of continuing that struggle.

### ***Future Research***

The research represents an emerging answer to the question of how people live with precarious immigration status, and how those ways of living vary across space and time. By conducting research with a small number of individuals, I was able to identify salient ways in which precarious immigration status affects the emotional and social lives of newcomers in Canada, an area that has received little examination to date. However, the small sample means that the research has not identified all facets of living with precarious immigration status. In this section I highlight areas that should be explored in more depth.

The research was not designed to provide a rigorous comparison of experiences across immigration status. Because individuals who were out of contact with Immigration, Refugees, and Citizenship Canada (IRCC) could have participated in the study, I did not ask participants to disclose their formal immigration status. Therefore,

the research offers a limited opportunity to compare and contrast across immigration statuses. At the same time, the findings suggest that formal immigration status is a poor proxy for migration motivations; rather, there can be commonalities across individuals with different formal immigration statuses. For example, within my sample there was evidence of shared immigration motivations, most prominently humanitarian protection concerns, among people who held student visas and people claiming refugee status. Similarly, the research found that several participants seeking permanent residence on the basis of work were motivated to do so to maintain family unity with partners in Canada. These findings defy the notion that different migration streams attract different “types” of applicants in terms of motivations and skill level (Hou and Bonikowska 2017). A larger study with more detailed data on people’s current and former immigration status could say more about how frequently such commonalities occur across migration streams. Though it would be difficult to include illegalized migrants, a study could be carried out to compare across formally authorized immigration statuses.

The second limitation of the study relates to the change in methodologies from in-depth focus groups to interviews. One of the goals of the in-depth focus group was to have repeated contact with participants. When I switched to interviews as a method of data collection, it was initially intended to gather data until I managed to hold focus groups. At the time, I did not have permission to give participants a phone number to contact me, and I was not able to contact participants for further interviews. Therefore, the data I collected reflects people’s narratives of past experiences rather than capturing participants’ attitudes towards those experiences when they occurred. People may have reported major changes in their life circumstances or their satisfaction with life in

Canada that stood out to them at the time of the interview but forgotten smaller changes, or provided less detail about past changes because they were no longer proximate. A prospective longitudinal study of people's experiences of precarious immigration status would provide more detail in illuminating what factors affect these experiences. Such a study would provide an opportunity to advance understandings of how immigration status operates in the everyday life.

In particular, it would be helpful to know more about how changes in immigration status affect people's circumstances in Canada, as well as their satisfaction with those circumstances. The research did capture some status transitions, for example from student visa to post-study work visa, but did not focus explicitly on those transitions. It also did not capture the impact of decisions on pending claims for permanent residence or refugee status. Transitions to permanent residence in Canada have received some scholarly attention in the context of labour market outcomes (Ci, Hou, and Morissette 2018; Goldring and Landolt 2011). Less is known about other ways that precarious immigration status may affect life as a permanent resident in Canada, but several studies have suggested that the negative effects of precarity may endure longer than precarious immigration status itself (Lacroix 2004; G. Pratt 2012; Simich 2010). This topic merits further exploration because there may be significant long-term costs associated with precarious immigration status as a tool of immigration control. Furthermore, little is known about the impacts of negative decisions on people's material and emotional circumstances and their decisions on next steps.

Thirdly, as I noted in the methods chapter, certain populations were not included in the study. For example, the experiences of illegalized migrants, as well as the

experiences of youth and seniors with precarious immigration status, were not captured by this study. It is difficult to say how the inclusion of participants from these groups might have changed the results. For example, home as a space where people were reminded of rather than sheltered from their immigration status may be different among people who are actively evading contact with the IRCC and Canada Border Services Agency (CBSA), and thereby also police, since they might experience a higher level of anxiety about status checks in public spaces. People in different life stages may also report other ways of orienting themselves towards the future, the present, and the passage of time than the participants in this study, who were mostly in their 20s and 30s.

My fieldwork yielded several unexpected findings that warrant more investigation. The study showed that there is a risk of people internalizing their immigration status as a marker of themselves as less valued or valuable than people with more secure immigration statuses or citizenship. Internalization of formal immigration status was mentioned explicitly in a few interviews towards the end of the fieldwork period. However, many participants used the interviews as a space to define themselves as worthy. I took this as a sign that they did not always feel worthy or that they were not always treated as worthy, and therefore connected this narrative redefinition to internalization of status. Because these findings were unexpected, I also did not sufficiently explore with participants the geographies of narrative redefinition. The research therefore raises several questions to understand how immigration control affects people's self-esteem. What spaces and social interactions contribute to the internalization of status? How does internalization affect people? Where, other than in

research interviews, do people have an opportunity to seek narrative redefinition? To what extent is narrative redefinition successful, either in terms of alleviating internalization or in terms of convincing others of the worth of people with precarious immigration status?

Having worked with people with precarious immigration status in the US, UK, and Canada, research participants were more likely to be in work and had more secure housing than people with whom I have worked elsewhere. While policies in Canada create precarious immigration status, the degree of precarity may be less severe than in other countries of immigration. However, my research findings also suggest that a lesser degree of precarity may still be the cause of slow violence. Among research participants, all were strenuous in denouncing the ways that precarious immigration status, uncertainty about the future, and long wait times affected them. In many cases, those who enjoyed relative privilege in terms of housing stability and a high chance of being granted permanent residence used stronger language to describe the harm they have experienced than those participants who lived with less material security and an unknown outcome on their case. This finding raises the possibility that small increases in uncertainty may have big ripple effects in the lives of those with precarious immigration status. If true, this hypothesis would have significant policy implications about what degree of precarity should be produced and tolerated by immigration regimes. More can be learned by conducting a comparison, either across countries or across immigration statuses in Canada, to see how access to rights, strength of support systems, and levels of uncertainty reverberate in the lives of people affected.

## ***Conclusion***

In conclusion, this research investigated the ways that people are affected by precarious immigration status. It focused on prolonged periods of living with precarious immigration status to examine how the effects vary across space and time, as well as the effects of uncertainty about the future. It privileged the narratives of people living with precarious immigration status to understand how precarious immigration status is performed, negotiated, and resisted within everyday life. It shows that the slow violence of living with precarious immigration status stems not only from material effects, but also from social, emotional, and affective effects. People depend upon belonging and a level of continuity between present and future. Policies that produce precarious immigration status undermine people's ability to meet their needs.

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## Appendix A: Informed Consent, Focus Group

**Study name:** Uncertain future, unsettled present?: Emotional geographies of migrants with liminal status in Toronto, Canada

**Researcher:** Kathryn Dennler, PhD Candidate in the Department of Geography at York University

**E-mail address:** xxxxxxxx@xxxxx.ca      **Office phone:** xxx-xxx-xxxx

**Purpose of the research:** The purpose of the research is to study how migrants in Toronto feel about living in Canada for an extended period of time when they are uncertain about whether they will be allowed to settle permanently and whether uncertainty effects their everyday life practices.

**What you will be asked to do in the research:** You will be asked to participate in a series of eight focus group discussions, each between 60 and 90 minutes in length. You will also be asked to participate in an individual interview with the researcher, which will be approximately 60 minutes in length.

**Risks and discomforts:** You may become emotional about some of the topics discussed. If you are upset, you may speak to the researcher or ask the researcher to help you contact someone you trust. The researcher can also refer you to a counseling service if needed.

**Benefits of the research and benefits to you:** The research will be used to draw attention to the everyday impacts of insecure immigration status in Canada. Where possible, it will be shared with service providers and policymakers in the hopes that services and policies towards migrants may improve. You may appreciate talking to others about your experiences of living in Canada, as well as hearing about their experiences. You may hear about resources and services available to migrants in Toronto.

**Voluntary participation:** Your participation in the study is completely voluntary and you may choose to stop participating at any time. Your decision not to volunteer will not influence the relationship you may have with the researchers or study staff or the nature of your relationship with York University either now, or in the future.

**Withdrawal from the study:** You can stop participating in the study at any time, for any reason, if you so decide. Your decision to stop participating, or to refuse to answer particular questions, will not affect your relationship with the researchers, York University, or any other group associated with this project. In the event you withdraw from the study, all associated data collected will be immediately destroyed wherever possible.

**Confidentiality:** You will not be asked to provide your name, contact information, or immigration status. The researcher will record focus group sessions and take notes. Recordings will be transcribed and destroyed within 4 weeks. Any identifying details will be changed in the transcripts. Transcriptions and research notes will be stored on the researcher's computer. The files will be encrypted and password protected. The files will be destroyed after 5 years. You will remain anonymous in all research dissemination. Confidentiality will be provided to the fullest extent possible by law.

**Questions about the research?:** If you have any questions about this research or your participation in the research, you may contact the researcher or her supervisor. The researcher can be contacted by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx. The supervisor, Valerie Preston, can be contacted by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx. You may contact the Graduate Program in Geography by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx.

This research has been reviewed and approved by the Human Participants Review Sub-Committee, York University's Ethics Review Board and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. If you have any questions about this process, or about your rights as a participant in the study, you may contact the Senior Manager and Policy Advisor for the Office of Research Ethics, 5th Floor, York Research Tower, York University, telephone xxx-xxx-xxxx or e-mail xxx@xxxxu.ca

I consent to participate in the research about insecure immigration status conducted by Kathryn Dennler. I have understood the nature of this project and wish to participate.

I am not waiving any of my legal rights by consenting.

## Appendix B: Informed Consent, People Who Work on Migration

**Study name:** Uncertain future, unsettled present?: Emotional geographies of migrants with liminal status in Toronto, Canada

**Researcher:** Kathryn Dennler, PhD Candidate in the Department of Geography at York University

**E-mail address:** xxxxxxxx@xxxxu.ca      **Office phone:** xxx-xxx-xxxx

**Purpose of the research:** The research investigates migrants' experiences in Toronto living in Canada for an extended period are uncertain about whether they will be allowed to settle permanently. It examines how uncertainty effects migrants' everyday lives.

**What you will be asked to do in the research:** You will be interviewed for approximately one hour to discuss policies relating to migrants with temporary or insecure immigration status, services available to these migrants, and your observations about how the policies and their implementation affect people with temporary or insecure immigration status. I would like to tape the interview.

**Risks and discomforts:** I do not anticipate any risks or discomforts to participating in the research.

**Benefits of the research and benefits to you:** The research will be used to draw attention to the everyday impacts of insecure immigration status in Canada. Where possible, it will be shared with service providers and policymakers to inform them about the impacts of services and policies.

**Voluntary participation:** Your participation in the study is completely voluntary and you may choose to stop participating at any time. Your decision not to volunteer will not influence the relationship you may have with the researchers or study staff or the nature of your relationship with York University either now, or in the future.

**Withdrawal from the study:** You can stop participating in the study at any time, for any reason, if you so decide. Your decision to stop participating, or to refuse to answer particular questions, will not affect your relationship with the researchers, York University, or any other group associated with this project. In the event you withdraw from the study, all associated data collected will be immediately destroyed wherever possible.

**Confidentiality:** Recordings will be transcribed and destroyed within 4 weeks. Any identifying details will be changed in the transcripts. Transcriptions and research notes will be stored on the researcher's computer. The files will be encrypted and password protected. The files will be destroyed after 7 years. Participants and their organizations

will not be identified by name unless expressly permitted. Confidentiality will be provided to the fullest extent possible by law.

**Questions about the research?:** If you have any questions about this research or your participation in the research, you may contact the researcher or her supervisor. The researcher can be contacted by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx. The supervisor, Valerie Preston, can be contacted by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx. You may contact the Graduate Program in Geography by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx.

This research has been reviewed and approved by the Human Participants Review Sub-Committee, York University's Ethics Review Board and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. If you have any questions about this process, or about your rights as a participant in the study, you may contact the Senior Manager and Policy Advisor for the Office of Research Ethics, 5th Floor, York Research Tower, York University, telephone xxx-xxx-xxxx or e-mail xxx@xxxxu.ca

**Legal Rights and Signatures:**

I \_\_\_\_\_ consent to participate in the research about uncertain immigration status conducted by Kathryn Dennler. I have understood the nature of this project and wish to participate.

I am not waiving any of my legal rights by signing this form. My signature below indicates my consent.

Signed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Participant

Signed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Researcher

**Optional: Additional Consent**

I \_\_\_\_\_ consent to waive anonymity and be identified in this research.

Signed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Participant

## Appendix C: Informed Consent, Interview

**Study name:** Uncertain future, unsettled present?: Emotional geographies of migrants with liminal status in Toronto, Canada

**Researcher:** Kathryn Dennler, PhD Candidate in the Department of Geography at York University

**E-mail address:** xxxxxxxx@xxxxxu.ca      **Office phone:** xxx-xxx-xxxx

**Purpose of the research:** The purpose of the research is to study how migrants in Toronto feel about living in Canada for an extended period of time when they are uncertain about whether they will be allowed to settle permanently and whether uncertainty effects their everyday life practices.

**What you will be asked to do in the research:** You will also be asked to participate in an individual interview with the researcher, which will be approximately 60 minutes in length. I would like to tape record the interview.

**Risks and discomforts:** You may become emotional about some of the topics discussed. If you are upset, you may speak to the researcher or ask the researcher to help you contact someone you trust. The researcher can also refer you to a counseling service if needed.

**Benefits of the research and benefits to you:** The research will be used to draw attention to the everyday impacts of insecure immigration status in Canada. Where possible, it will be shared with service providers and policymakers in the hopes that services and policies towards migrants may improve. You may appreciate talking to others about your experiences of living in Canada, as well as hearing about their experiences. You may hear about resources and services available to migrants in Toronto.

**Voluntary participation:** Your participation in the study is completely voluntary and you may choose to stop participating at any time. Your decision not to volunteer will not influence the relationship you may have with the researchers or study staff or the nature of your relationship with York University either now, or in the future.

**Withdrawal from the study:** You can stop participating in the study at any time, for any reason, if you so decide. Your decision to stop participating, or to refuse to answer particular questions, will not affect your relationship with the researchers, York University, or any other group associated with this project. In the event you withdraw from the study, all associated data collected will be immediately destroyed wherever possible.

**Confidentiality:** You will not be asked to provide your name, contact information, or immigration status. Recordings will be transcribed and destroyed within 4 weeks. Any identifying details will be changed in the transcripts. Transcriptions and research notes will be stored on the researcher's computer. The files will be encrypted and password protected. The files will be destroyed after 5 years. You will remain anonymous in all research dissemination. Confidentiality will be provided to the fullest extent possible by law.

**Questions about the research?:** If you have any questions about this research or your participation in the research, you may contact the researcher or her supervisor. The researcher can be contacted by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx. The supervisor, Valerie Preston, can be contacted by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx. You may contact the Graduate Program in Geography by e-mailing xxxxxxxx@xxxxu.ca or by calling xxx-xxx-xxxx.

This research has been reviewed and approved by the Human Participants Review Sub-Committee, York University's Ethics Review Board and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. If you have any questions about this process, or about your rights as a participant in the study, you may contact the Senior Manager and Policy Advisor for the Office of Research Ethics, 5th Floor, York Research Tower, York University, telephone xxx-xxx-xxxx or e-mail xxx@xxxxu.ca

I consent to participate in the research about insecure immigration status conducted by Kathryn Dennler. I have understood the nature of this project and wish to participate.

I am not waiving any of my legal rights by consenting.

## **Appendix D: Interview and Focus Group Schedule**

### **Arriving in Canada**

I'd like to begin by thinking about your life when you first arrived in Canada.

- When did you come to Canada?
- What were your first impressions of Canada?
- What was your life like when you first arrived in Canada?

What do you think about your life in Canada now? What changed?

- What is something you have accomplished or are proud of since moving to Canada?
- What is something you are looking forward to? Dreading? Worried about?

### **Everyday Life**

Now I'd like you to think about your normal, everyday routine. Can you think about a typical day last week and tell me about what you did on that day?

- (Prompts: where did you go, who did you see, what for?)
- Which of these activities do you enjoy? Which don't you enjoy?
- Do you have paid employment in Canada? If not, how do you meet your basic needs?

Can you think about a time recently when you had an especially good day? What was different or good about that day?

What kinds of things do you think are important to feel satisfied with your normal everyday life?

- Which of these things do you have in your life?
- What might help you feel more satisfied with your life?
- Do you think that your immigration status affects what you do or can do everyday? If so, how?

### **Life Course**

Moving on from everyday life, I want to talk about your own hopes and goals for your life. Right now are you in your 20s or 30s or 40s?

When you were younger, what kinds of things did you think you'd be doing at this age?

- (Prompts: professional, educational, personal goals)
- Have you been able to do those things?
- How are you working towards those goals now?
- What makes it easier for you to achieve those goals?
- What holds you back?
- How has your life in Canada affected your ability to do the things that you hoped for yourself?

Thinking not just about goals for this age, but goals for your life, what are things you want to do in the future?

- (Prompts: professional, educational, personal goals)
- (Prompts: achieved already, want to achieve, think you might not be able to achieve and why)
- What are you doing to try to achieve your goals?
- Have your goals and timelines for achieving milestones changed since you came to Canada? If so, how?
- How does your immigration status affect your ability to be where you want to be in life with respect to your goals?
- Would having permanent residence change your goals and plans for the future, or your ability to work towards your goals?

### **Immigration Status**

I've known a lot of people who find it difficult to make a life they are happy with when they are waiting to get permanent residency in Canada. How do you feel?

- What parts of your life do you find difficult?
- What parts of your life do you find to be working well?

How do you think your immigration status affects your life?

- (Prompts: happiness, health, relationships, family)

Are there things you've decided to do (or not do) because of this time you are spending in Canada without permanent status?

- (Prompts: How do you feel about these activities or changes? How do you think they will affect you, or your future?)

Has anyone ever encouraged you to do (or not do) certain things because they thought it would improve or harm your chances of getting a more permanent status in Canada?

- (Prompts: Who told you? What did they tell you? Have you followed their advice? Do you think those activities have helped your case or your chances at getting a more permanent status? How do you feel about these activities or changes?)

Do you think having permanent residence in Canada would change what do with your life or how you feel about your life?

### **Contact with CIC/CBSA**

I'd like to talk about the process of applying for immigration status in Canada, such as applying for some kind of visa or permanent residence. Have you ever had any contact with CIC/CBSA or made any applications to them?

If so, what are or were your impressions of the CIC/CBSA?

- (Prompts: did you find it confusing, stressful, frustrating, difficult, etc.?)
- Did you have regular contact with them? How was this contact?
- Did you experience delays? How long did these delays go on? How did they affect you?

**Photo Elicitation**

I want you to make a chart of your satisfaction with your life in Canada from the time you arrived until now.

- Satisfaction with things you identified as important (above).
- Satisfaction overall.

Can you tell me about the charts you made?

**Issues Important to Participant**

I want to find out if there is anything you think is important about living for a long time in Canada without having permanent status that we haven't talked about today.

- What about the experience is most important to you?
- When I am writing about life in Canada for migrants like yourself, what do you think I should say?
- Is there anything important about your life in Canada that I have not asked about?

**Demographic Information**

To finish, I'd like to ask a few basic questions about you that we haven't discussed.

- What country are you from? (as interpreted by participant, or country of nationality if participant asks)
- How long have you lived in Toronto?
- Do you have any family in Toronto or Canada?

## **Appendix E: Interview Schedule, People Who Work on Migration**

### **Your Work (Policymakers and settlement workers)**

I'd like to begin by talking about the work <organization> does for migrants. I know you work on <fill in>. Can you tell me more about <fill in>?

- What are the principles that motivate or guide the work of your organization?
- How long have you been working for this organization, and in what role?
- How has the work of the organization changed in that time?
- What are some of your organization's priorities for the next few years?

### **Services for Migrants**

My research focuses on the lives of migrants without secure status in Canada – that could be non-status migrants, refugee or H&C claimants, temporary workers, live-in caregivers, dependent family members, or others having problems complying with the terms of their visas. Can you tell me about the institutional supports and services in Toronto for migrants without secure status?

- Are there enough services available? What are areas of particular strength or deficit?
- What are barriers to providing needed services?
- What are barriers to accessing the services available?
- What services do you think migrants without secure status most need?

### **Challenges for Migrants without Secure Status**

How would you describe the conditions in Toronto for migrants without secure status?

- What are common worries or difficulties? (Prompts: housing, employment, education, English learning)
- What do you think is the impact of insecure status on migrants' health and well-being? (Prompts: anxiety, boredom, loneliness, isolation, mental illness, etc.)
- How do you see migrants coping with these difficulties?

One of the most important issues I am investigating is what happens when migrants live without secure status for a long time. Have you worked with people who have been in this situation? If so, how do you think the experience of living without secure status changes over time?

- Are there particular activities or strategies you've heard about for using the time without permanent status, either to improve life satisfaction or to improve chances of being able to get permanent status?
- Are there activities or life events that migrants feel excluded from because of their status?

### **Applying for Status/Wait Times (Lawyers and settlement workers)**

In some cases, the long time without secure status comes because of lengthy procedures or delays in processing cases. Have you come across this with <type of claim, e.g. refugee status, H&C, other routes to permanent residence, depending on expertise of informant>?

- What are typical wait times between application and final decision?
- How clear are processing times and case progress to migrants who are applying?
- What are some of the longest wait times you have encountered?
- What kinds of cases tend to take the longest? What factors contribute to long wait times?
- How have you seen migrants respond to long wait times and delays?
- How have wait times changed over the past 5 to 10 years?

Describe for me what happens when people are granted permanent residence, both in terms of their reactions and some of the practical changes that occur.

- How do things change for migrants in the days and weeks immediately following being granted refugee status or other forms of landed status in Canada?
- What practical challenges do they still need to overcome?
- Do you think that there are things that still feel uncertain or on hold after being granted a permanent status in Canada?

### **Changes in Immigration Law and Procedure**

I am curious about trends in immigration law and procedure in Canada. Can you tell me what has changed over the past 10 years?

- Have you seen a change in the numbers of migrants who are not likely to be able to gain permanent status? What do you think accounts for these changes?
- Have you seen a change in the conditions of migrants who do not have landed status? What do you think accounts for these changes?
- Do you think Toronto has become more or less welcoming to migrants over time? In what ways?

### **Concluding Thoughts**

To conclude, I'd like to know what you think is most important about migrants without secure status in Canada. What are some of your main concerns and priorities with respect to migrants without secure status in Canada?

Is there anything we should have discussed but haven't, or anything you've said that you think is particularly important?

## **Appendix F: Interview Schedule, City of Toronto Policy Analyst**

### **Role of City / Interviewee**

- Tell me about your job, especially the work that you do that relates to immigrants living in Toronto who do not have permanent status.
- How long have you been working for the City on issues related to immigrant residents who do not have permanent status?
- What role does the City play in serving immigrant residents who do not have permanent status? (Service provision, cooperation with provincial / national agencies, lobbying other levels of government on behalf of this demographic of residents, etc.)
- Are there issues that concern the City where it does not have the capacity to act directly? How do these issues get addressed?
- Where does the City obtain information about the circumstances of immigrant residents without permanent status?
- What are some initiatives taken by the City that might be considered a model for other cities, or examples of best practice?
- Are there some areas where the City is hoping to achieve more, or perform better, over the coming years?
- What barriers exist in trying to make changes or improvements to City practice?

### **Service Provision for Migrants (by City or other agencies)**

- What city services can be accessed by residents without permanent status? Do any remain inaccessible to some migrants, especially non-status migrants?
- What kind of contact does the City have with local service providers (e.g. CHCs, settlement service providers, etc.)
- How would you characterize service provision to residents without permanent status in Toronto (considering both City and other services)?
- Are there enough services available? What are areas of particular strength or deficit?
- What are barriers to providing needed services?
- What are barriers to accessing the services available?
- What services to residents without permanent status do you consider to be most important?

### **Policy Changes**

- How has the policy climate towards temporary and non-status migrants changed over the past 5-10 years in terms of national policies and practices? (Summary OK)
- In terms of provincial policies and practices? (again, looking for broad answer)
- In terms of City policies and practices?
- Have there been changes in the priorities or areas of interest of the City in residents without permanent status in the time you have been working there? What are the reasons for those issues becoming more or less important over time?
- What are some of your organization's priorities and goals for the next five years, with respect to immigrant residents who do not have permanent status?

- Does the City have the sense that the number of temporary migrants in Toronto is increasing?
- What about refugee claimants? Non-status migrants?
- Has the City observed a change in the conditions of temporary or non-status migrants living in Toronto?

### **Concluding Thoughts**

To conclude, I'd like to know what you think is most important about migrants without secure status in Canada. What are some of your main concerns and priorities with respect to immigrant residents who do not have permanent status?

Is there anything we should have discussed but haven't, or anything you've said that you think is particularly important?

## Appendix G: Coding Tree for Data Analysis

1. Time/Temporalities
  - 1.1. Everyday life
  - 1.2. Future
    - 1.2.1. Uncertainty about the future
    - 1.2.2. Goals
  - 1.3. Waiting or life on hold
    - 1.3.1. Affirm waiting/life on hold
    - 1.3.2. Contradict waiting/life on hold (activity, decisions)
  - 1.4. Change in conditions across time
  - 1.5. Change in experience/satisfaction across time
  - 1.6. Change in decisions/coping across time
2. Formal Immigration Status
  - 2.1. Definition of immigration status
  - 2.2. Past formal immigration status (Canada or elsewhere)
  - 2.3. Current formal immigration status
  - 2.4. Status trajectory
    - 2.4.1. Role of needs/motivations
    - 2.4.2. Preference of one visa/path to PR over another
  - 2.5. Productive power of formal immigration status
  - 2.6. Rights/limitations associated with status
    - 2.6.1. Effect of
    - 2.6.2. Access in practice to rights
  - 2.7. Meaning of permanent residence/citizenship
  - 2.8. Internalizing formal immigration status
3. Space
  - 3.1. Comfort at home
    - 3.1.1. Housing quality
    - 3.1.2. Choice in housing
    - 3.1.3. Feelings at home
  - 3.2. Comfort in public spaces
  - 3.3. Mobility throughout city
  - 3.4. Un/welcoming spaces
4. Support
  - 4.1. Source of support

- 4.1.1. Resilience
  - 4.1.2. Family/friends
  - 4.1.3. Community
  - 4.1.4. Nonprofit orgs
  - 4.1.5. Government support
- 4.2. Impact of support systems
- 5. Resistance
  - 5.1. Persistent presence
    - 5.1.1. Coping mechanisms
    - 5.1.2. Community support
  - 5.2. Confrontational politics
  - 5.3. New subjectivities
    - 5.3.1. Political views
    - 5.3.2. Career goals
- 6. Belonging/desirability
  - 6.1. Sense of belonging
    - 6.1.1. Specific time
    - 6.1.2. Specific place
  - 6.2. Sense of un-belonging/undesirability
    - 6.2.1. Specific time
    - 6.2.2. Specific place
    - 6.2.3. Contradictions of Canada as a welcoming country
    - 6.2.4. Countering narratives of un-belonging/asserting own value