



**TEMPORARY INTEGRATION AND TEMPORARY
MIGRATION: COMPARING THE CASES OF
CANADA AND THE UK**

SAHIZER SAMUK

UNIVERSITY OF SUSSEX

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Abstract

This paper will compare Canada and the UK in terms of what kind of migration policies and integration policies these temporary migration policies entail for the temporary foreign workers (TFWs). Most of the literature on TFWs overlooks integration, even more temporary integration. Instead they focus on “rights” (which often cannot be separated from integration), and if they do mention rights they underline the importance of full economic and social rights with some implications for political rights. Some draw attention to citizenship. However, temporary integration has never been discussed by scholars working in the field of migration studies. I will elaborate on this term and prepare the framework for it. Even if the liberal democratic regimes are more generous in terms of the rights they grant to their TFWs in Canada and the UK, during the last few decades, migrants workers’ rights are still subject to debate. The rhetoric against temporary migration and the contrary results show that the nation-states are not ready to learn from the previous guest-worker programs and devise a policy that can prevent the abuses, exploitation and exclusion of the TFWs. I argue that the definition of the TFW is too vague, and there is therefore there is a need to clarify what the needs of temporary migrant workers are. These needs should be determined with the common interest of the home and host states, unions, different advocacy groups for immigrant workers, as well as the workers themselves. There should be a system of fair bargaining, otherwise not only will these policies will be short of their aims that are determined by the policy-makers and businesses, but they will also be unable to create humane living conditions for the TFWs themselves. Therefore, I will look at the current decision-making process by the policy-makers and find the gaps in it, evaluate and criticize it while adopting a new approach with the term temporary integration.

1. Introduction

The focus of this paper will be on temporary migrant workers, and the issues of their rights and integration. A considerable amount of academic and public attention has been devoted to the exploitation of migrant workers. However, it is surprising to note that so many years after the guest worker programs, temporariness was still the desired result by both the public and the policy-makers. This was despite a general acknowledgement that “*there's nothing more permanent than a temporary worker*” underlined by Martin (2001). The temporary migrant workers are never supposed to integrate as they are present just temporarily and therefore, “there is no need to devise policies regulating their integration”. On the one hand, the level of integration and the desirability of integrating for the immigrants change depending on the different groups of temporary migrant workers (presumably high skilled will have more chances to attain a permanent residency). Despite the fact that there are plenty of works written about it, there have not been any concerns about “temporary integration”. Generally the discussion is rights-based and the debate stops there.

What is the gap that this research is trying to fill? The gap refers to the long-term problems and plans regarding integration, taking temporary integration as the yardstick. Everyday integration of a temporary migrant worker is a concern that shall be taken seriously. Integration is always talked about as a long-term plan. However, what is discussed here is temporary benefits from rights (in return for the duties they realize) with possibilities for long-term integration –in case the migrant workers would like to do that- and this term will be the hypothetical part of this project as well as normative. In case the temporary migration is only temporary migration and the aim of the migrant workers are to go back each time, temporary integration proves a shield against exploitation.

In addition to the questions above, it is important to have working definitions of TFWs and migrant workers. For instance, the definition of a TFW in Canada is written as such: “A foreign national who has been authorized to enter and remain in Canada, on a temporary basis, as a worker.”¹ This is a very general definition in terms of time frame or work qualifications. The equivalent exists in the UK. According to the Labour Force Survey (LFS) the definition of a migrant worker is as such: “A foreign worker is someone who works but has foreign citizenship and a foreign-born worker is anyone born outside of the UK, including British citizens.”² As it is seen there is not time or skill level framed in either of these definitions. Temporariness has no upper or lower limit of time period in the case of Canada, while in the UK the definition is a very general one. As Bridgette Anderson has emphasized “this definition is very much elusive and it is useful to look for how the temporary foreign worker is constructed by immigration controls”³. This

¹ <http://www.albertacanada.com/opportunity/immigrating/definitions.aspx> accessed on 30th of October 2014.

² <http://www.migrantworker.co.uk/employers.asp> accessed on 25th November 2014.

³ From an email correspondence where the author asked her about definitions and ambiguity in June 2014.

lack of precision in both cases can lead to misunderstanding, misinterpretations, and it also indirectly culminates in the iniquitous implementation of the rules that are ambiguous in themselves.

The definition of temporary migrant workers in the UK, for instance, is not easily to find. The short term definition of the international migrant is the following: “The broadest definition of a short-term migrant is anyone who enters or leaves the United Kingdom for a period of from one to twelve months (a stay of 31 - 365 nights) for any reason. Estimates of migration using this definition appear in the worksheet 'All 1 to 12 month migrants'.”⁴ While in the UK the international migrant is defined as a person who stays at least one year, in many foreign countries the times that temporary migrant workers stay is flexible. However, this lack of a precise definition makes the concept seem as if temporariness does not exist and it is not devised as a policy while the reality is the contrary.

The ambiguity in the definitions, public opinion and the realpolitik perspective of the policymakers, as well as the predominance of economic development compared to the declining welfare state, are just a few factors which lead to this fuzzy perspective on what temporary migrant workers can benefit from as rights, and how much they can be integrated to the host society if they choose to do so. In this paper, voice will be given to different interviewees in order to elaborate on why the UK and Canada are different in their policies regarding temporary migration. And if they are similar, why are they similar? If they are different why are they different? Is it more historical (path-dependent), political (change of government makes a difference), or economical (neo-liberal policies)? To what extent do the ideas (role of the idea of migrants and idea of migration within the nation) and expert knowledge (MAC – Migration Advisory Committee- or academics in general) inform the policies? In this paper, interviews will gain the prominence as the thesis is still in progress. In the first part, the literature review will analyze diverse perspectives and what has been written about temporary migration and integration policies; in the second part, the methodology will be focused on; the third part is the analytical part where the interviewees make their voices heard and corresponding interest groups will be compared in the UK and Canada. Concluding remarks will reveal preliminary results of the analysis of the semi-structured and open-ended interviews conducted since September 2013.

2. Debate Regarding Temporary Foreign Workers, Migrants’ Rights and Temporary Integration

⁴ Definition by national statistics available from http://www.google.es/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCsQFjAB&url=http%3A%2F%2Fwww.ons.gov.uk%2Fons%2Frel%2Fshort-term-migration%2Fshort-term-migration-estimates-for-england-and-wales%2Fmid-2012-estimates%2Fstim-01.xls&ei=F8z8U9b6E46O4gTvgoHADw&usg=AFQjCNEhnaSU4_yse4Wlp6BDGCZ_VbhqFg&bvm=bv.74035653.d.bGE

The question I am aiming to understand and analyze in this part is as such: What kind of rights should the temporary migrant workers benefit from within the limitations of the nation-state, public opinion and primacy of economy over the political? The gap that the literature review has not answered is corresponding to this question: What kind of rights a scheme of temporary integration might comprise for the TFWs?

The first section will explain how the literature on TFWs have been previously addressed (also from comparative perspectives) and how it fits to inclusiveness and expansiveness, what the gaps are within this literature are; the subsection within the first part discusses the different perspectives in labour migration and temporary migration studies; the third part underlines the differences between high and low skilled foreign workers, and the fourth part assesses rights related issues for the TFWs. It will be shown that the literature had denied the existence of temporary integration as a possibility for TFWs in the last part.

2.1 Expansiveness of the Liberal Democratic State

According to Freeman (1995: 896) immigration outcomes are more expansive and inclusive than public opinion would seem to support. It could only be inclusive and expansive as it is inevitable in liberal democratic states. The assumption that not only the general admission and immigration policy but also the labor policy as a sub-category cannot be restricted in the liberal democracies could be validated for the UK and Canada. Both countries keep a certain level of immigration and labor migration⁵. However, if one underlines Ruhs' thesis, it means that no policy can be expansive and inclusive at the same time: The dilemma of numbers vs. rights (Ruhs and Martin, 2008). If it is expansive, it would jeopardize inclusivity and if it is inclusive, it will jeopardize expansiveness. Is this assumption true for Canada and the UK? Or can we say that it is both expansive and inclusive for both high and low-skilled? It seems that the answer to former question is to be discussed while the answer to the second definitely is a "no". It might be expansive but it might not be inclusive especially for the low-skilled⁶.

⁵ In fact labor migrants were always needed historically. For instance, McDowell (2003) in her article explains in detail the labor migration recruitment policies of the UK after the Second World War, when there was clearly a real shortage of labor. Most of the labor migrants at the time were Caribbean people from the former colonies and Latvians working as laborers for the Germans in the camps. However, the temporariness of the labor migration was not the case, then. The Latvians were seen as future British wives because of their hardworking attitude and their racial qualities as well. Her article also shows that considering labor migration, the policies could still involve the racial factor for those to be future citizens. She focuses on the identity perception whereas most of the experts on labor migration or TFWPs do not look in-depth to this aspect.

⁶ Sometimes even for the high skilled such as the Indian IT workers in Germany who just work and cannot integrate as they do not speak German and it is a big barrier for integration as indicated in Meijering, Louise, and Bettina Van Hoven. "Imagining difference: the experiences of 'transnational' Indian IT professionals in Germany." *Area* 35.2 (2003): 174-182.

There is expansiveness of migration policies in both countries. For instance in Canada, public opinion has been immigration prone (Bloemraad, 2012) and the yearly numbers of migrants in average has not fallen from 250.000 in Canada⁷. In contrast, there is anti-immigration rhetoric in the UK with constant debates on TV or radio about labor migrants coming from other EU countries as well as from non-EU countries. In the UK, the average intake of immigrants yearly has been 150.000 to 200.000⁸ (net migration) in the last years. Starting with the Labor Party rule from 1997 onwards the immigration policy has been liberalized tremendously especially for the economic migrants (in contrast to the asylum policy) as indicated by Consterdine and Hampshire (2014), Geddes and Statham (2006), Flynn (2003) and Hansen (2014). However, the current coalition government is reiterating that they will decrease the number of immigrants⁹ even confronting the free movement of labor in the EU. This prominence of anti-immigration rhetoric¹⁰ is a contrast between the two cases although similar outcomes can be observed in terms of flows of immigrants in general (meaning the increase cannot be controlled) and temporary migrant workers in specific (the rights might be violated).

To give a background to public opinion it could be useful to compare the public opinion about migration in these two countries. It is seen that public opinion has always been immigration supportive in Canada while we can say the opposite about the UK. According to the “Transatlantic Trends: Mobility, Migration and Integration Report in 2014” Canada seems to be welcoming immigrants more and Canadian population is much less anxious about immigration and integration compared to the European counterparts: For instance, in Canada 65% said immigrants were integrating well (compared to 45% for Muslims) (p. 17). “In Canada and in all five continental European countries surveyed, majorities said that immigrants do not take jobs away from native born; 58% of British and 56% of U.S. respondents disagreed, saying that they do” (p. 25). Support for legal immigrants remaining permanently also is the highest in Canada compared to the other main immigration countries such as USA, Germany, Spain, France, Netherlands and the UK (p. 26). Actually, the lowest support comes from the UK (ibid.)

The current trends also point to the same direction. Especially compared with the UK there seems to be greater differences. When one looks at the answers to the questions about the government handling the immigration, the question is as such ‘do you approve or disapprove the way that the government handles immigration from other countries?’ 75 per cent in the UK had indicated that they strongly disapprove (2014: 16). “Can you tell me if you are worried or not worried about the immigration from within the EU?” is another question that is asked in the Transatlantic Trends

⁷ <http://canadianimmigrant.ca/immigrate/immigrant-intake-will-remain-at-250000-says-minister-kenney>

⁸ <http://www.bbc.com/news/uk-23878689> accessed on 20th of April 2014.

⁹ <http://www.bbc.com/news/uk-23878689> accessed on 20th of April 2014.

¹⁰ Confrontational rhetoric can have different reasons and justifications. However, in this case it has not much to do with prevention of exploitation of migrant workers or not having the capacity to handle the integration policies’ implementation, the current rhetoric has more to do with the fact that the im

Survey and it shows that 51 percent in the UK said that they were worried (2014: 76). In a similar question but for the non-EU immigration, the UK shows higher percentage of people worried which is as high as 54 percent (2014: 77). In addition and in line with these data it can also be seen that in the UK immigration seems to be one of the most important topics of anxiety. For instance, a question was asked as such: “What do you think is the most important issue facing (our country) at the moment?”¹¹ The highest percentage, which is 25 per cent said that it was immigration while the economy came the second. Such differences in public opinion could lead to different results in both countries contrary to what is assumed by Freeman (1995).

Favell (2001: 26) when comparing the UK and France in terms of their “philosophies of integration” indicated that “UK is still getting immigration from lower ranks through clandestine entry or family reunification while Canada and Australia are the destination countries for the high skilled from Hong-Kong and other Asian countries.” However, this no longer seems to be true. A lot has changed in the last ten years (more so in the last 17 years). Most immigrants to Canada are also economic migrants, refugees and also those who are benefiting from family reunification¹². The rhetoric in both countries most of the time underlines in an explicit or implicit manner that who would contribute to the economy such as high-skilled workers, are welcome but not the others (the low skilled are assumed not to contribute as much as the high-skilled). Despite this aspect, both types of immigration continue (low and high skilled), the low-skilled retaining the quality of being temporary and the high-skilled being provided more chances to become permanent (Lenard and Straehle, 2012). Basically the phenomenon continues to exist but the policies are not aiming to target temporary integration and inclusiveness as if this phenomenon will disappear if one ignores it.

On the other hand, there is a converging trend: Preference for temporariness compared to permanency in Canada in the last two decades as it is in the UK despite the fact that (as Freeman would categorize) Canada is a settlement country. In one such study, Pendakur (2000: 11) compares European countries with Canada from the temporary/permanent divide perspective: “In contrast to [Canada], many European countries tend to discourage permanent migration and instead encourage the migration of ‘temporary workers’” The situation in the last ten years – especially since 2000 shows that Pendakur’s assessment has evolved, especially with increasing numbers in the last seven or eight years, showing that Canada is also receiving immigrants for temporary reasons rather than aiming at permanent stay for those admitted to the country for work purposes (see table 1). Therefore, expansion continues but inclusiveness seems to be limited. The increase in numbers and not being interested in devising integration policies has consequences such as segregation,

¹¹ <http://www.theguardian.com/society/2014/jun/16/insecure-britain-poll-economic-recovery-immigration> accessed on 17th of November 2014

¹² Canada Immigration and citizenship webpage: <http://www.statcan.gc.ca/pub/11-402-x/2012000/chap/imm/imm-eng.htm?fpv=30000> accessed on 20th of April 2014.

exploitation and a repetition of history of immigration as it was in Europe. So basically it is not the high numbers that is the problem leading to exploitation or deficiency of rights, it is the numbers combined with some other institutional and historical factors combined, that lead to undesired results such as lack of integration for TFWs.

1. Temporary Residents by Yearly Status

	2002	2011
Prince Edward Island	250	1189
Nova Scotia	3699	6721
Quebec	18709 (year 1987)	63471
Ontario	70200 (year 1987)	152697
Manitoba	3464 (year1987)	8207
Saskatchewan	2659	9548
Alberta	13628 (year 1987)	83344
British Columbia	16950 (year 1987)	109015
Yukon	266	713
Northwest Territories	647	425
Nunavut	72360	119703

Source: Prepared by the author in order to show the increase in temporary residency in the last 10 years from the resources available on CIC and from the Digital Library Cd which has been sent from Canada where the data is available till 2011.

2.2 Liberal, Ethical and Neo-Marxist Perspectives and their Implications for Temporary Integration

This section identifies three main strands in the work on comparative labor migration: liberal, neo-Marxist perspective and liberal-ethical perspectives. Admission policies and the rights granted to the

migrant workers have been explained using all three perspectives. Notable in this respect are the works which develops the liberal and ethical perspectives focusing on the ethics of labor migration policy and underlining the importance of granting more rights to TFWs in relation with time and attachment that they develop during their stay whereas the Neo-Marxist approach underlines the exploitative part of the phenomenon of labor migration with a focus on migrant workers' rights. While touching upon the main issues about TFWs, the general literature has not considered the question of 'temporary integration'.

Ruhs has adopted a more liberal democratic approach towards labor migration policies even though he claims that certain rights (political and civil rights excluding to vote in the national elections together with full economic rights) should be taken into consideration in a non-ideal world compared to Carens' liberal-ethical perspective as Carens wants to deliberate more on moral questions as well and criticizes the empirical work for not considering the moral questions. Ruhs agrees with Carens' ethical perspective that time makes a difference in an immigrant's attachment to a place and with time the immigrant should be entitled to more rights. However, Ruhs' threshold for granting TFWs more rights and permanent residence, seems to be high which is four years. He also does not support the idea of open borders as Carens (1987) does. Ruhs keeps the right of voting in national elections separately from the other rights and says that the TFWs should have political and civil rights except right to vote in the national elections. However, he does not explain why he thinks that way in detail. Other than that, he calls the defense of the rights of the migrants by some international organizations as "rights fetishism" and does not find this idea plausible cause his main perspective is a nation-state centered perspective. Therefore, it would be possible to summarize their differences as such: Integration is not as important as it seems for Ruhs compared to Carens. Carens underscores the integration that has been realized (this or that way) by the migrant worker before even the state devises policies. Hence, an established set of rights for temporary integration would guarantee the rights of a migrant worker who is integrated to his surroundings after many years of stay. If the state policies do not support integration policies seriously, taking away the rights self-made by the migrant worker through time and attachment will be easier.

Ruhs considers the rights but he does not elaborate on the details of an integration scheme as a necessity for the TFWs. Ruhs describes the world as it is where the increase in the numbers is accompanied by deterioration in rights for the migrant workers and says that "economic efficiency, distribution, national identity, and social cohesion, national security and public order" should be taken into consideration (Ruhs, 2013: 5) Although he touches upon the ethical aspect, his priority is not the ethical consideration but the feasible policy solution. Cohen is more critical of nation-states and the global management of migration, adopts a neo-Marxist perspective, and as the originator of

the term “new helots”¹³ for the migrant workers, Cohen (2006: 204) contrasted Canadian and Australian approaches with those in France and the UK:

“Whereas the former pair has entered into an open dialogue with its settled population on appropriate numbers and criteria for exclusion, governments in France and the UK have on the whole remained secretive and patrician in the implementation of their policies, now recognizing the claims of the gang masters for cheap agricultural labour, later throwing sops to the right-wing news papers and political parties. If they are to be legitimate at all, restrictions have to be open, consensual and clearly used to defend an existing freedom that would otherwise be in jeopardy. Restrictions, in this moral universe we are constructing, cannot be used for a concealed purpose especially if that purpose is unworthy.”

With a similar approach to Cohen, Bauder (2006) in his work underlines that without international migrant workers there would not have been a functioning international economy. He says (2007:7) that “state policies towards international migration are not an economic inevitability, rather they reflect the strategic decision making of political actors” Bauder (2006) wants to show that “in addition to human capital; social and cultural forms of capital define migrants’ situations in the labour market”. In stark contrast with the assumption that migrants are to work only, they are socially and culturally present in the host society. Moreover, the conditions they live in are defined by this social and cultural capital that is a reflection of the dominating culture and society in the receiving country (Bauder, 2006). Emanating from this point of view, temporary integration matters not only for economic reasons but also for cultural and social reasons.

As Cohen would elaborate, some of the restrictions seem to be of unworthy purposes, while Ruhs would outline all the reasons that restrictions might be justified. While Cohen does not deliberate the issue of temporary integration as a solution, he says that restrictions should be removed, which could be seen as opening the way to integration for TFWs. On the other hand, Carens (2013: 113) approaching the subject with a more ethical perspective defends the idea that democratic states do not have a right to keep the TFWs permanent for a long time and he continues: “That is the clear lesson of the European experience with guest workers in the mid-twentieth century. States that are not committed to democratic principles behave differently.” This view also implies sooner or later there needs to be integration, but it does not discuss integration together with rights.

¹³ Robin Cohen, 1987 *The new Helots: migrants in the international division of labour*, Aldershot: Avebury/Gower Publishing Group, pp 290; paperback edition, Gower, 1988; Japanese translation, 1989; reprinted 1993, 2003

According to Carens (2013) keeping the TFWs for a long time devoid of certain rights and excluding them from the citizenship is not compatible with the democratic principles of justice. He does not defend the idea that the numbers of the TFWs should be limited, as labour migration in a way reduces global poverty through remittances, while Ruhs (2013) would support the idea that their numbers should be restricted if they are not granted the full political and civil rights, certain economic and social rights. As a result, Ruhs (2013) defends limited expansion with fuller rights, while Carens defends expansion and inclusion both as permanent integration. What about temporary integration as a distanced solution to permanency and a good solution against exploitation during the temporary stay? However, the counter-view on the side of the policy-makers could be: “Well if we treat them well, they will never want to go.” Can this view be justified? To answer these questions is the topic of whole another paper. However, the next sections will attempt to understand and answer the requirements of answering the first one: Even if migrant workers are to stay if they are “treated well”, could it be plausible that migrant workers have the chance and opportunity to be temporarily integrated?

2.3 Differences between the Low and the High Skilled TFWs

There are three qualities present in these countries regarding temporary migration in the last few decades: first, there is an increase in the number of the temporary migrant workers; second, high-skilled temporary migrants are more preferred to the low-skilled temporary migrants and there is greater competition¹⁴ in both countries to attract high skilled migrants (Ruhs, 2013); third, a point that is related to the second fact: whether high skilled or not, the migrant workers from developing countries, if they can choose to stay they prefer to stay (not only for economic reasons). Khoo et al. (2008) found that amongst the high skilled it is more probable that the high skilled immigrants originating from developing countries tend to turn from temporary to permanent stayers compared to the high skilled from the developed countries. Looking at the past research on low and high skilled, what are the implications of differential treatment of these two opposite categories?

First, the UK has limited the numbers of the low-skilled immigrants coming from the non-EU countries as Tier 3 (which has been for temporary and low skilled workers) has been closed¹⁵. The restrictions have been lifted in 2014 January from Romania and Bulgaria¹⁶ as a result of the rules on free movement of labor in the EU but it seems that the expected increase in numbers has not been realized¹⁷. In Canada, the academics are discussing the deterioration of the rights of the TFWs together with the migrant advocacy groups. And since 2008 there has been an increase in their

¹⁴ Interview with an immigration lawyer in Ottawa made it clear that to attract the high-skilled is an important part of the Canadian immigration policy not only historically but also in practice today.

¹⁵ <http://www.workpermit.com/uk/uk-immigration-tier-system/tier-3-unskilled-migration.htm> accessed on 28th of November 2014.

¹⁶ Interview with an official from Home Office

¹⁷ <http://www.bbc.co.uk/news/uk-politics-21523319> accessed on 28 November 2014.

numbers: “since 2008 the yearly number of admitted temporary migrants has exceeded the yearly number of admitted permanent migrants.” (Lenard and Straehle, 2012: 3) But can we really say that the rights granted to the low skilled and high skilled have deteriorated since the increase in their numbers? Is there more deterioration comparatively with the high skilled compared to the rights of the low skilled migrant workers? If so, the numbers by themselves are not good enough to explain it all as this situation is more specific to the low skilled ones such as the SAWP (Seasonal Agricultural Worker Programme) and Temporary Foreign Worker Programme (TFWP) for the low skilled in Canada and SAWS (Seasonal Agricultural Worker Scheme) and SBS (Sector Based Scheme) in the UK. Although these two programmes have been closed in the UK, TFWP has been reformed in Canada as “the numbers are going to be cut, the Canadians are going to be put first in terms of job acquisition and the programme is going to be implemented with tougher rules and fines for the employers who are responsible for abuse”¹⁸ as promised by the Conservative Government.

Second, the differentiation between the high and the low skilled has also some practical implications such as keeping the status-quo of inequality within the domestic and international sphere rather than reducing global poverty. TFWs earn more money than they would in their home country, brain drain cannot be prevented as the high-skilled immigration is encouraged (Balaz et al 2004) and the high skilled are given better economic opportunities in the receiving country so that they can stay¹⁹. Hence, it exacerbates the inherent problems in the global economic system and besides this, for the longer term, non-integration of the low-skilled and integration of the high-skilled could lead to the stratification in the sending and receiving societies where there is not much chance for social mobility for the low-skilled in both the sending and the receiving country. While the low-skilled and the high skilled of the natives have the same rights in the receiving society, there is a great difference in terms of how the high and the low skilled access to certain rights, when they enter the receiving country as unequal guests.

The distinctions between the high and low skilled are made clear by Lenard and Straehle (2012:4): “The exploitation is enabled particularly by the program provisions that make it very difficult for low-skilled workers to attain permanent residency and citizenship. Thus low-skilled temporary migrants in Canada occupy a doubly unequal status vis-à-vis, first Canadian citizens and second, high-skilled migrants, who in most cases are able to attain, and indeed are encouraged to attain Canadian citizenship.” Hence, in the case of TFWs (high and low skilled) it is possible to say that

¹⁸ http://www.esdc.gc.ca/eng/jobs/foreign_workers/reform/index.shtml accessed on 29th Noveber 2014.

¹⁹ Balaz et al (2004) in their article underline the fact that temporary migration is not a substitute for permanent migration for the Slovaks who have emigrated to the other EU countries. They have three groups on whom they made a research on and they are composed of high and low skilled: professionals, students and au pairs. It is found out that in none of the groups the majority wants to go back to their country. Their reasons for arrival are different but their reasons for staying becomes similar.

wherever they stand at the global economy also defines where they stand in the country that they are working at temporarily. It is a continuity of the previous national system they used to live within, where the same inequalities are produced and reproduced within the new society that they arrive at. While the low-skilled turns in circles, the high-skilled can proceed on a straight line of mobility²⁰.

Despite all the findings above, it seems very interesting that the low-skilled in Canada seem to stay more not only as a result of the formal and institutional policies but also as a result of necessity and availability for the jobs. As the data from 2002 to 2011 in different provinces in Canada has been analyzed, and it has been found out that the theory that says that foreign workers are dispensable after the crisis (Ahearne et al 2009) does not hold true for Canadian provinces such as British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick and Nova Scotia. What is seen is that after the crisis there is a stability or fall in the number of the high skilled migrants which are stated by Level A²¹ (professional and managerial class) while there is an increase in the categories such as C and “level not stated”²². The increase starting with 2007 and 2008 can also be as a result of the government’s policy on Expedited LMO²³ (Labor Market Opinion) where the employers could reach to low-skilled labour in a shorter period and where PNP (Provincial Nominee Programme - which makes it possible for the TFWs to gain access to permanent residency status) and finally a programme called CEC (Canadian Experience Class – which gives the possibility to TFWs with experience to have permanent residency).

In line with the findings above, as it has been emphasized before the temporary residence has been higher for the first time in 2007 compared to permanent residence (Alboim, 2009) and this shows that those who attain permanent residency status are a small proportion of the whole immigrant workers. Since the “level not stated” which seems to have skyrocketed since 2008 is not clarified in

²⁰ The challenges that are faced by the high-skilled immigrants have not been observed or researched, however this shall also be taken into consideration. Since it is beyond the scope of this paper, the author has not considered this aspect so far.

²¹ Level A refers to professional and managerial class, Level B is skilled and technical, Level C is intermediate, clerical/elemental and laborers. And the last category is “level not stated”.

²² “Level not stated” is a category whose numbers are increasing tremendously starting with 2009 and 2010 but in some cases their number are increasing in 2004 and 2005. This has attracted the author’s attention and a question was sent to the External Statistical Reporting Group, Data Management and Reporting Division, Research and Evaluation branch, Citizenship and Immigration in Canada. They had indicated in their personal correspondence with the author that level not stated consists of these categories of people: “level not stated is mainly due to work permits with no occupation stated. For example, foreign workers may be issued a work permit without occupational restrictions (i.e. an “open” work permit). With no occupation stated, identification of skill level is unattainable.”

²³ “The LMO is a document issued by the Canadian government to your employer. It will allow you, a Temporary Foreign Worker (TFW), to obtain a sponsored work permit for Canada. It is a fast, cheap process that was created to allow Canadian employers to fill positions in their companies with foreign workers if they are unable to find a Canadian to do the job. The government issues a positive or negative Labour Market Opinion (LMO) to your employer approximately 12 weeks after application” Accessed on <http://moving2canada.com/immigration-to-canada/labour-market-opinion-lmo-work-in-canada/> 30th November 2014 and now it has changed to LMIA (Labor Market Impact Assessment)

terms of status (as they are considered to be migrant workers with open work permits without any skills indicated) one cannot make a judgement on the possibility if this category can go undocumented or not, currently or in the future. Or they might represent the ones who are de-skilled, which could blur the lines between who is high-skilled and who is low-skilled. With some degree of certainty but not being proved yet, there can be temporary migrant workers in that category and it is plausible that they are in a precarious situation related to their temporariness and the nature of the jobs (Preibisch and Hennebry, 2011).

“Which types of immigrants a nation-state should allow coming in and staying?” is one of the most common questions asked by the policy makers in general. Definitely high-skilled have more chances for admission and they have more chances to stay as they are supposed to be contributing to the economy more²⁴ and public is much less against the high-skilled. But it seems that the TFWs of low skilled or skill “level not stated” are also immigrating in great numbers and in some cases they have a chance to stay through PNP and CEC as in the case of Canada. Therefore, staying might not be a good indicator of integration²⁵ or inclusion but it could mean vulnerability²⁶ in some cases. The increase in the number of those who gain permanent residency in Canada shows that economic migrants have prevailed over foreign students and population staying for compassionate reasons²⁷. The same or similar programmes do not exist in the UK that could avail immigrant workers from non-EEA countries to stay if they are low skilled as it was thought by the policy-makers that A8 and A2 labor could have met this need when Tier 3 was closed. In addition to that, closure of other temporary programmes, might lead to their vulnerability as well even if they are EU citizens. Moreover, this set of policies in the UK underpin an assumption that the A8 and A2 are for low-skilled jobs while there is de-skillization observed by the scholars for these migrants (Currie, 2007).

2.4 Rights and TFWs: Inclusiveness of the Liberal Democratic State Questioned

Many authors have written about the exploitative side of the temporary work and they have also suggested to ameliorate the policies, improve the rights of the workers, and open the borders totally or to cancel all of these TFW programmes. Most of the time, canceling these programmes is out of debate, as they are both beneficial for the host and the sending country and the migrants have given their consent to do such precarious work. It has been done in the UK while in Canada they are

²⁴ Tom Papworth has in a personal interview indicated this point and there are also scholarly articles which confirm this point of view.

²⁵ Regarding the link between citizenship and integration, Ozcurumez (2009) also indicates in her work that citizenship does not mean more political participation and hence it does not mean politically being integrated.

²⁶ Jayaweera et al. (2008) in her work include these factors in her research working on migrant vulnerability: “pays, hours, insecurity and accomodation.” (Jayaweera et al. 2008: 3).

²⁷ Analysis of the data by the author, between 2002 and 2011 shows that economic migrants have become predominant.

reformed mostly. However, none of the policymakers or academics have included in their debate temporary integration as a solution or scheme that can be developed in order to provide policy suggestions. In this section, those scholars who are supporting the idea of granting more rights to the TFWs in order to protect migrant workers against exploitation will be presented with other researchers who have worked on the sending state and the dilemma of the families that are left behind (criticizing more stringent policies against family reunification).

Engaging in TFWPs is “making temporary foreign workers unfree by the Canadian immigration law” (Sharma, 2012: 29) who have not much control over their work-lives and over their capacities to choose if they want to change their job, stay longer, get married with a native, get citizenship in the long run and live in that country that they are working for a temporary period. Mostly temporary migrant workers in the UK and Canada are not allowed to change employer or sector. Similarly, another scholar who considers economic rights is Attas (2000: 78) who underlines that the basis of exploitation of the temporary foreign workers is mostly being devoid of economic rights and they are comparable to the slaves with some little differences:

“Foreign workers imported on a contract basis are in an intermediate position between slaves and free wage labor with respect to force in the sense of conditional restrictions that skew prices and wages. They are, like all, domestic workers in a capitalist economy and slaves in an economic based on slavery, subject to, and constrained by, the capitalists’ ownership rights in the means of production. Unlike slaves, however, they are not themselves assets owned by their employers. But, on the other hand, they are also subject to the existence of a set of restrictions limiting them to employment in a particular industry, sector or, sometimes even employer.”

Attas (2000) says that it is not necessary that they have all the membership rights such as full citizenship but is enough that they are free to change employers which actually not only gives them the possibility to be free but also to protect themselves from exploitation. Otherwise, this current system where they cannot change employers, functions for deeming the rules of the free market effective, where the workers are actually flexible de jure but de facto they are not so free unless they are EU citizens or natives in the UK.

Ruhs (2013: 169) does not find the criticisms of Walzer and Attas very convincing when he tries to answer to all the critiques made in the name of Human rights, exploitation and equal membership. He says “these three sets of interests are too narrow, they don’t place sufficient emphasis on agency, interests and actions and policies of migrants and their countries of origin” which is a rightful critique but then it is possible to criticize Ruhs from a different perspective: There is not

much detail on the topic of agency of the migrant workers, because in his work there is no worker who is interviewed about the TFWPs. Nevertheless, the *agency of the TFWs* count for certain, who choose to do this work within a certain period, who can earn much more than they can earn back in their countries and then choose to go back home with money that is not spent for vain purposes.

Comparable to these authors, Walzer (1983) on the other hand, gives more weight to citizenship for the guest workers, and he defends citizenship with the idea that guest workers contribute to the society and well-being of the community that they are in and they should be able to have a say in the representation of the community that they are living with. Bauböck (2011) instead offers that there could be a partial citizenship such as life-course citizenship that can be gained in the long-term if the migrants continue to be working and staying in the host country.

One can also argue that history has evolved in such a way that rights have been internationalized and have become post-national (Soysal, 1994). Therefore, it is true that there is an international standard to working hours and rights protected against the non-exploitative practices. But are they being applied for the TFWs and even if they are being applied, can we say that they are achieving the temporary integration which provides them the tools to cope with their working lives and with the society they are living in? The reality does not seem to be so²⁸. According to Morris (2003: 79) although Soysal says that the rights are tied to residence rather than citizenship, the case is that most of the non-citizens are denied full political rights and they also do not hold full rights of residence. Therefore, Morris (2003) draws our attention to the exclusionary politics of citizenship.

This exclusionary politics of citizenship is also seen in the case of the EU citizenship where the TCNs (third country nationals) are the outsiders. Morris (2003: 85) says “however the principle objective of the EU is the establishment of a single market and not the advancement of basic rights for TCNs outside of this objective (see article 2 of the Amsterdam Treaty, quoted in Peers, 2000: 12)” therefore, human rights and international protections do not apply to most of the immigrants, the least protected being the undocumented. Morris (2003: 94) emphasizes:

“viewed in this light – and despite a certain optimism surrounding the potential for human rights with respect to migrant groups- the area of transnational migration contains some of the most striking examples of contemporary contraction. This is one reasons why the ‘post-national’ argument does not entirely ring true and why the balance of rights defies easy generalization.”

There are clearly limits to the ‘expansive and inclusive’ dynamic. When one considers the temporary migrant workers limitations and restrictions apply to a great extent. Hennebry (2014) who examines

²⁸ <http://www.theguardian.com/commentisfree/2014/nov/17/modern-slavery-bill-john-lewis-supply-chain-exploitation> accessed on 25th of November 2014.

migrant workers in Canada, makes it very clear that these immigrants are the ones who are 'falling through the cracks' of social protection schemes. She says (2014: 14):

“For temporary migrants it is vital that the connection between territory and protections be severed –rights and access to social security dependent on residency requirements will likely continue to exclude migrant workers. Contemporary ‘mixed flows’ of migrants,-for whom status is more amorphous- are particularly vulnerable to residency requirements which rest on defined status categories.”

Bauder (2008) agrees with a similar idea and considers the exclusionary aspect of the policies by the receiving states. Bauder also emphasizes (2008: 328) that the European citizenship has created certain similar processes that the nation-state has produced in terms of inclusion and exclusion and that it has not eliminated exclusion.

Looking at the case of different guest-worker regimes that existed in Europe Bauder says (2008: 326): “Conceiving citizenship as capital and a mechanism of distinction and reproduction contributes to an explanation of why “European countries have been reluctant to give citizenship status to migrants and why immigrant countries, such as Canada maintain a ‘permanent’ workforce of temporary foreign workers.” This has been the case and even more the case with the citizenship tests. In 2002 the requirement that applicants for British citizenship provide evidence for their knowledge of life and language in the UK either by passing ‘Life in the UK’ test or an ‘English for Speakers of Other Languages (ESOL)’ course which includes citizenship materials (Paquet, 2012). A similar pattern in other Western European countries such as Germany, Denmark and Netherlands led to questioning the liberal states’ attitudes towards foreigners (Joppke and Baubock, 2010). This kind of policy is in line theoretically with what Bauder says on cultural capital and how it influences the daily lives of the migrant workers: inclusive for those who have had their upbringing in a similar way while it excludes those who are seen as not easily integratable because of a different background. Migrant workers whose English course budgets are cut out²⁹, not being able to learn how to speak English then might never be qualified for a citizenship in this case.

But there are other sides to temporary migration that are excluded: Remaining families who have less chances of reunification and the perspective of the sending state regarding the migrant workers and their families which are rarely considered by scholars.

The sending state chooses the workers according to marital status and having children (for instance those who are married with children) are chosen to work abroad so that they come home and go back in a circular way, so that the remittances continue as states as underlined by Nakache and

²⁹ Interview with a social worker approved the fact that the budgets for English courses being cut in 2010 had seriously affected the language learning possibilities for migrant workers.

D'Aoust (2012). Therefore, if this temporary migration turns into circular migration³⁰ it is more beneficial for the sending states. There is also another side to this phenomenon which is the *migrant's families* who are happy on the one hand that one member of the family is bringing home money, but on the other hand, this kind of temporary migration does not allow temporary family reunification which causes social problems in the families (especially the low-skilled has much lower probability for reunification of families)³¹. For instance, the women left behind have to assume the burden of taking care of children only by themselves; some families are broken as distance makes relationships harder and children are far away from their fathers for a long time and the mothers assume great burdens while working and child-caring alone (Hughes, 2012).

There are a group of philosophers who think that membership and political rights matter so that these guest workers can benefit from more equal economic rights and they can defend themselves against exploitation and domination. Those who think that political rights matter are Lenard and Straehle (2012), Ottonelli and Torresi (2010), Ruhs (with the exception of the voting at the national elections), Sager (2012) and to a certain extent Walzer (1983). Other than that those who think that not granting full economic rights are a big part of the problem are Attas (2000), Ness (2007) and Ruhs (2013). Those who think that citizenship route should be open are Chang (2002: 467) underlining that “first best migrant policies would be more open borders as well as legal permanent residence with access to all citizenship rights”, Lenard and Straehle and Walzer (1983), while Miller (2008: 376) states that the open route to citizenship is possible with fewer admissions. There are also other theorists who claim that people as they stay more in a territory develop place-specific duties and in order to realize they duties they should be able to say there and she calls this right “*ius situs*” (Ochoa Espejo, 2014 draft paper). According to this theory, the place-specific duties necessitate (this could be duties towards one's neighbour) that one should benefit from one's right to stay in the host country.

Ottonelli and Torresi (2010) for instance draw attention to the “temporary migration projects” where a person wants to spend a certain amount of time in a different country just to work and earn money, not more than that. Therefore, they do not go as far to say that they should be included as members in accordance with what the inclusivists would advocate. “The aim is never to create a whole new life in the host society” (p. 7) according to Ottonelli and Torresi. They claim that citizenship rights do not fit the temporary migration projects of these TFWs and so a different set of rights should be provided to them during their stay. This view is similar to what Ruhs (2013)

³⁰ According to IOM (International Organization for Migration) definition, <http://www.iom.int/cms/en/sites/iom/home/about-migration/key-migration-terms-1.html#Circular-migration> “The fluid movement of people between countries, including temporary or long-term movement which may be beneficial to all involved, if occurring voluntarily and linked to the labour needs of countries of origin and destination.”

³¹ The case is more like this in the UK as it has been made harder to reunite with the third country nationals' spouses since 2012.

underlined. However, these two works do not speak to temporary integration as they might well claim that integration is not the aim under these circumstances but a set of certain rights is.

Walzer is especially sensitive to the situation of the labor migrants for a number of reasons. He gives importance to the family reunification and says that “labor mobility has a social price” (p. 41) “if you admit the labor migrants you need to admit their families too”. This social price is not taken into account by Wellman who conceives the nation-state as a homogeneous entity who chooses to include the ones that s/he is to marry with. On the contrary, despite his realistic approach about “clubs” Walzer says these about TFWs: “Since laborers are men and women with families, one cannot admit them for the sake of their labor without accepting some commitment to their aged parent, say or their sickly brothers or sisters.”(1983: 42) However, family reunification is not the only topic he is concerned about, he also underlines the aspects that are related to the inclusion into the community (possibilities for the membership). Despite his bold comments, it is interesting that Walzer also leaves the nation-state somehow intact because he keeps the analogy of club or family.

However, there is the view that actually guest workers, labor migrants’ situation is much worse than those of the indentured labor. Ness (2007) in his work articulates that actually the labor migrants are very much used and abused within the system and that they are worse than the indentured laborers as he talks about the Bracero Program which established a legal guest-worker program. He points out that TFWP is necessarily needed so that the profits are higher, costs are lower, the wages are lower and the capitalist class triumphs from all this. In addition to these views, he claims that this temporary migration is also reinforced by World Bank (WB) and World Trade Organization (WTO) who facilitates guest worker programmes with the justification that the labor programmes are crucial to the development of the South as these labor immigrants send remittances to their countries and families most of the time (p. 441). At this point, the importance of the international organizations and their influence on policy-making comes to the fore.

In contrast with all the authors above, Mayer (2005: 312) advocates the idea that some level of exploitation is acceptable:

“Then we ought to tolerate guest worker programs, even when they are exploitative. In tolerating such programs our hands do get a little dirty, but the moral costs of the dirt are less than the price foreign labor pays for the purist policy. There is such a thing as acceptable exploitation, in other words, and the Bush administration proposal may fall within that category.”

He claims that “modest exploitation is lesser evil” (p. 332). There are acceptable levels of exploitation according to Mayer and he states that the TFWPs that are given as examples in general, such as the Bracero program in the USA in the 1980s and the guest worker program in Germany in

the 1960s were actually beneficial for most of the immigrants as they earned good wages compared to what they could have earned in their home countries. About the Bracero Program he underlines that “the exploitation was likely modest, not severe” (p. 329) Hence, he says that it was the fault of a few employers in the Bracero program that some of the immigrants were exploited. According to him, the scheme of the TFWP is not to be criticized, but it is the abuse of a few employers, which shall be questioned.

Mayer wants to draw a realistic perspective but actually it is not very objective. Both Bracero and German Guest-worker program were very much criticized in terms of how they were applied and also about their consequences for the migrant workers’ rights (Ness, 2007; Berger, 1975). There is also a need to draw attention to this aspect: The guest workers cannot stay as guest workers whole their lives as Walzer (1983) underlines, they should be given some opportunities to temporarily integrate which leads to permanency if they choose to do so after a while or as a result of years of successful work and years of traveling back and forth. Without this humanistic and social aspect, one would think and decide according to the rules of the global market, the receiving state, sending state and the rational decision maker who has not many other choices as this rationality is limited with the circumstances. Decisions taken as a result of unequally balanced debates between these actors would produce unintended consequences such as unacceptable levels of exploitation and continuation of a globally unequal system where the agency is limited to circular migration.

Another problem with Mayer’s understanding is to keep the threshold for the rights of the immigrants too low. According to him, a sufficiency view (that immigrants should have sufficient resources, housing, humanly conditions to live) poses a relative conception, which changes with history and culture. These conditions cannot be provided unless there is a structural criticism to how policies are made.

Lenard and Straehle (2012) look at exploitation aspect from a very different perspective compared to Mayer: They would argue that exploitation should be combated by providing the labor migrants more rights. They say that “even if expanding guest-worker opportunities have some positive effects on global wealth redistribution, as presently constituted, temporary work programs fail to meet the demands of justice.” (p. 207). They argue that in order to combat this side-effect there should be a path to naturalization for the TFWs, not that they should be given the citizenship rights immediately (p. 213): “To be clear in advance, however, we are not arguing that guest-workers should be immediately entitled to citizenship rights, but rather they should not be denied access to them as part of the contract they sign. Like migrants who intend to migrate permanently, they should be subject to a naturalization process that grants these rights over time.”

Finally, Ochoa Espejo (2014) divides the theories about immigrants’ membership and rights into two groups: Membership-based and presence-based theories. She claims to feel closer to presence-

based theories. However, she does not find any of the theories sufficiently explanatory, also the theory defended by Carens (2013) which gives more importance to the time spent in a certain place and attachment over time. Her priority is the place-based rights and her focus is on the connection between political authority and territory also considering local duties specifically arising from someone's presence in a territory. Espejo (2014: 27) mostly considers "right to remain" and says: "The web of rights and duties can extend in such way that it grants everybody present in a given place most of the social and political rights to which members of a community are entitled. But even if they are not eligible for every right, in most circumstances, non-citizens who are present in a place will have a relation to it such that they have a right to remain there." However, her justifications for right to remain seem to be a bit vague.

According to Sager (2012) the neo-republican perspective would require that they should have political rights such as right to vote in local and state elections so that they will be prevented from being dominated. He takes the term domination rather than exploitation as his key word. He compares the neo-republican perspective with social membership account, the affected interest account, the stakeholder account, and accounts based on the justification of state coercion. Since these people are to obey the rules of the country they come to and they stay, not having the door open to the citizenship rights, is a great loss for them as long as they are subjected to the rules and they cannot change them. Does this discussion lead to being the author of the laws and policies that they are subjected to? (Abizadeh, 2008)

Wellman's opinions on temporary labor migration are not very persuasive. However, Wellman (p. 17-18) seems to be concerned more about equality between patriots that are subjected to the same political community while he does not seem to be preoccupied with "*equality-if-admitted*" part of the discussion as Walzer and he says that Walzer is right if he is talking about "relational equality"³². On the other hand, Wellman's problem and question does not seem to be related to this transition from foreigner to citizen. Because when he is elaborating on the short term visitors and the long term residents, he almost implies that immigration and borders' openness are acceptable if the immigrants are there for a short stay and they are not prolonging their stay without the host political community's permission (p. 29). This view actually takes its roots from the Kantian view (1991) where there is a distinction between the foreigner who comes to stay and the foreigner who comes for a short period.

In contrast with what Wellman would defend, TFWs are more than short-term stayers, they are to stay longer than a tourist or a person who comes for a short visit as Carens (2013) argues. Since the central topic of this thesis is the implications of the policies for temporary integration, Carens'

³² Relational equality means "in an egalitarian society people should relate to one another as equals or should enjoy the same fundamental status (and also perhaps the same rank and power)" as in the website of <http://plato.stanford.edu/entries/egalitarianism/#RelEqu>

hypothesis and ideas speak to my hypothesis while Wellman and Miller do not apply to the priorities of this paper as they would in many cases not consider temporary integration as a possibility. Therefore, Wellmann's view is also closer to the rationale of the nation-state where one is open to the long-term stay of the high-skilled but not to the long-term stay of the low-skilled, such as the guest workers who work in low-skilled jobs. Even in the case of the high-skilled this hypothesis might imply some limitations.

This section has discussed the diverse perspectives about the rights that can be or should be granted to the temporary migrant workers and it has been seen that none of them discuss integration as a part of their delineation. This is exactly why there is a need to discuss the possibility of temporary integration in the case of temporary migrant workers.

2.5 Temporary Integration?

This section will briefly underline the problems with the integration policies of these two countries. The integration policy in these two countries shows how much is attributed to temporary integration measures if such measures are being taken at all.

Hennebry (2014) makes clear that integration is not taken seriously by the government for the low skilled TFWs. Again from her research, it can be derived that half of the temporary migrant workers' lives is in Canada and half of their lives is in Mexico so basically the immigrant workers are in reality spending a big part of their time in the place that they work as if their lives are divided into two. Despite this, in one part of their lives they are not able to benefit from integration despite the fact that there is circularity for as long as four years for some migrants. Even if they work and even if they continue to be admitted to the same job every year as those who are good at this work and experienced will be the preferred ones, circularity is encouraged. This kind of circularity which is suggested by Hennebry (2012: 13) and continuous temporariness make it possible for those to get to know Canada more every time they come which is intrinsically a reason for them to be integrated culturally as well as economically. As she interviewed with them, she found out that most of them want to learn English. But there are no chances provided to do this. Finally, a small part of integration is realized through limited resources of the non-governmental organizations that are present in the rural places where migrant workers are temporarily living in (Hennebry, 2012).

Similar issues can be observed in the UK. But the problem seems to be more serious as in the UK there is not a national integration policy contrary to Canada where the immigrants are much easily integrated into the system (Bloemraad, 2012). Spencer (2011: 2) argues that "there is no national policy framework on integration in the UK". First, it was the Italians and Portuguese who worked on the agricultural work and then it was the Ukrainians, later migrant workers from the so-called 'Accession' A8 countries (Latvia, Lithuania, Slovakia, Slovenia, Estonia, Poland, Hungary, Czech Republic) and now from the A2 countries (Bulgaria and Romania). There is evidence that A2 is

mostly returning to their countries as they work in temporary jobs (Vargas-Silva, 2013) and that their numbers did not turn out to be as high as expected. Even though the EU migrant workers have the same rights as the natives in the UK, their chances for learning the language and social and cultural integration seems to be a distant possibility, too. Moreover, now that SAWS and SBS had been closed there is the possibility that the employers might use gangmasters more in order to recruit migrant workers from other countries where the employers have lesser responsibilities. This could mean deterioration in terms of the migrant workers' rights.

As Salt and Millar (2006: 351) describe “participants of SAWS are mainly students between the ages of 18 and 25. The scheme uses operators (currently nine in numbers) who recruit participants, allocate them to farms and ensure they receive appropriate wages and conditions, including suitable accommodation. Annual quotas are used to manage the numbers of people that may participate in the scheme. Throughout the 1990s, the quota was 10000 rising to 15200 in 2001 and 25000 in 2003.” However, lack of integration schemes for this programme has resulted in a lot of criticism. For instance, Rogaly (2006) and Scott (2013) point out to the fact that these programmes had exploitative results and the fact that deregulation of the labour market together with underregulation of these programmes caused dehumanized conditions. In fact, the recruitment of the immigrants for these programmes who do not speak English and providing them generally mediocre living conditions make exploitation inevitable. This finding is valid for both Canada and the UK.

Although the current debate is not about integration at all it seems that Labour has done things to save the integration policy as well. For the refugees and asylum seekers the case has been so as indicated by Phillimore (2012: 528): “New Labour government set out its desire to make refugees ‘full and equal’ citizens” (Home Office, 2000) At this time the UK in tandem with countries such as Canada and the Netherlands followed a multicultural route to migrant settlement, accepting even encouraging minority ethnic groups to retain their own culture, identity and language.” National Refugee Integration forum was set up for these purposes: “Access the public services to which they are entitled, achieve their full potential as members of the British society and contribute fully to the community”³³ However, it started in 2000 and it was closed in 2006. For other migrants, Labour has not taken many integration policy measures while the ones on asylum-seekers were not long-lasting.

According to Vertovec and Wessendorf (2010) in 2005 Home Office has underlined that integration matters and “they emphasized that the immigrants should achieve their full potential as members of the British society and contribute to community and access services to which they are entitled” (HO 2005: 14) For the 21st century the key debate regarding the integration debate has

³³<http://webarchive.nationalarchives.gov.uk/20090805000644/http://www.nrif.org.uk/Health/index.asp> accessed on 18th of November 2014

always been related to the contribution. The public opinion in the UK also shows that the immigrants become more acceptable by the public once they are contributing to the economy according to a report by IPPR – Institute for Public Policy Research- (IPPR, March 2014). Hence, economic contribution according to the business, employers and the public seems to be the most important criteria, while multiculturalism, two-way integration and inclusion are words that are not used in tandem with integration anymore.

This debate for sure is also linked to the debate on citizenship where citizenship is earned (“earned citizenship” debate during Labour’s time) and integration comes after one’s economic situation makes him or her eligible to be integrated. The threshold of the self-sufficiency of an immigrant in order to bring his family to the UK which has been risen to 18600 pounds a year in 2012, a change which confirms this neo-liberal logic where one has to earn and become economically independent of any institution or anyone before one can claim to be united with a family member. In addition to these, the policies has also taken a more assimilationist stance according to Vertovec and Wessendorf (2010: 529). They suggest in 2010 that “UK integration policy now operates as if integration is one way and takes an assimilative stance in contrast to academic understandings, which stress complexity and two way adaptation.” (p. 529).

Voicu (2009: 75) examines the changes in the integration policies of the UK briefly and says that temporary migration becomes a very important phenomenon in 2000s for the UK. Voicu argues in her article that despite all these developments concerning ethnicity the UK has not done much in order to develop integration policies: “the word used in England for immigrants is ‘toleration’ meaning that no regular and explicit policy was developed to support or encourage cultural difference at national level” (Voicu, 2009: 80). Integration was understood as assimilation in 1950s and 1960s while it has become a taboo term in the last two decades (ibid.) When it comes to Labour Party, Blunkett has indicated his regrets on not focusing integration (Spencer, 2011: 357) and Blair had focused on Muslims after the bombings of 2005 “not on immigrants per se” (Spencer, 2011: 357). One should also take into account that 9/11 had shifted the focus to the Muslims and their integration rather than a discussion of rights of migrant workers and the integration of the economic migrants.

Therefore, it would not be wrong to say that integration has never been taken seriously in the UK while in Canada the situation seems to be better for long-term residents. Temporary integration however, does not exist on a policy basis or as a reality in Canada as underlined by Hennebry. The resources and what the organizations can do to help temporary migrant workers are limited. In an era where immigration is being restricted mostly in all countries and asylum does not carry the importance of the Bipolar world that existed before 1989, it would be too much to expect from the states to devise policies on temporary integration. However, when the rhetoric on immigration and integration changes the indispensability of temporary integration will be unavoidable.

3. Methodology

3.1 The timeline: Years 1997 – 2014 for the UK, 1993-2014 for Canada

In terms of the timeline, the UK analysis will cover the period 1997-2014, which was a significant turning point as the country became less restrictive in terms of its Labour migration policies compared to the Conservative governments from 1979-97. Policies also became more selective when the Labour Party came to power:

The direction of policy has been one of "selective openness" to immigration, with a commitment to economic migration on one hand and development of a tough security and control framework on the other. The change in economic migration has been accepted across the political divide, and, consequently, limiting and restricting immigration is no longer a prerequisite for UK migration policy³⁴

However, this does not necessarily imply that there were no concerns about overall migration. Despite being a centre-left party Labour Party had concerns about immigration control, particularly asylum-seeking migration (Somerville, 2007). In Canada I will analyse the period 1997-until 2014. In Canada, from 1997 to 2004 the Liberals had the most of the seats in the parliament. After 2008 the New Democrat Party became prevalent in the elections and popular amongst the voters while the Liberal Party lost a lot of votes. In 2008 NDP had 37 seats while in 2011 they had 103. The Liberal Party, in 2006 had 103 seats while in 2008 they had 76. The Liberals and New Democrats were not strong enough to gain the majority by themselves, since 2006 the Conservatives had increasing votes and increasing success. According to Moodley and Adam (2012: 433) "Historically Canada's liberal party was associated with the immigrant vote and considered the champion and inventor of MC" but "since 2006 the LP was replaced by the conservatives in no small measure due to a substantial share of the "ethnic vote"" (Moodley and Adam: 2012, 434). This means that in the Canadian case there is a change in the government in the term that I am examining and it is necessary to see that parallelism between these two countries covering 17 years in the UK and Canada.

3.2 The Method

What has been done till now was to conduct interviews, 26 (most of them face to face and one as a skype interview, one being a phone interview) interviews in Canada (Ottawa) and 18 interviews in the UK (London, York, Oxford) so far. These interviews are open-ended and semi-structured as structured interviews would limit the scope of the answers while the non-structured would not give

³⁴ <http://www.migrationpolicy.org/article/united-kingdom-reluctant-country-immigration/> accessed on 22 may 2014

the chance to ask questions where there is more detailed information needed regarding a particular aspect.

Interviews in Canada were conducted with policy makers, different political parties and migrant organizations as well as immigration lawyers who are a part of the policy making. I tried to understand how much the organizations are involved in policy making regarding labour migration policies in general and temporary worker programmes in particular. In the questionnaire I also had questions regarding temporary integration and trying to analyze and discuss what they would mean by temporary integration if they could think of a scheme in their heads. However, my questions have changed according to the persons interviewed and they varied according to their organization. So, after I completed all the transcriptions, the similarities and differences in terms of their explanations on different programmes and diverse perspectives were analyzed.

The results of the interviews have been examined from different perspectives, talking to the politicians, migrant organizations, immigrants lawyers, researchers and academics, the perspectives that could lead to some generalizations: 1) Focus on the questions of the political/economic and demographic reasons of being an immigrant receiving country, 2) Focus on the questions of rights of the temporary foreign workers, 3) One question on brain drain, 4) Benefits and problems of having TFWPs and its implications for the integration of the temporary foreign workers, 5) Some question were regarding the numbers vs. rights that was proved by Martin Ruhs, 6) For organizations, asking how much they can contribute to the immigration and integration policies and how they are affected with the changing immigration context and policies in the last two decades (mostly referring to the recent changes).

Why these two countries? Please see the tables below.

Table 2. Similarities

	UK	Canada
<i>Political system</i>	Liberal democrat	Liberal democrat
<i>Varieties of capitalism</i>	Liberal market economy	Liberal market economy
<i>International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</i>	Not signed	Not signed
<i>Borders with low wage countries</i>	Do not exist	Do not exist
<i>Multicultural</i>	Yes	Yes
<i>The sectors where the low skilled migrant workers work</i>	healthcare, construction, food processing, and the hospitality	Construction, food processing, agriculture, manufacturing, oil

	industries	and gas
<i>The sectors that the high-skilled migrants work</i>	Financial services, business, economic development	Financial services, business and economic development
<i>More opportunities for High skilled migrant workers</i>	Yes	Yes

Table 3. Differences

	UK	Canada
<i>Settlement country</i>	No	Yes
<i>EU membership</i>	Yes	No
<i>Importance of Race in legislation</i>	More recent	Earlier that it was cancelled
<i>Open route to low skilled migrants</i>	No	Yes for the domestic worker from Philippines and PNP programme
<i>Provincial differences in migration policy</i>	No (central governance)	Yes
<i>Has colonial ties</i>	Yes	No
<i>Integration Policies (not implementation but the ones in place) – MIPEX data</i>	Except political participation it does not fare well in labor mobility, family reunification of third country nationals, education and long term residence	It does not fare well in political participation while access to nationality does not show great difference between Canada and the UK even if Canada fares better in the end.

Table 4. All the Programmes in Both Countries

	UK	Canada
<i>Low skilled</i>	No programmes for domestic workers – it is becoming more and more limited	Live in care giver programme
<i>Based on federal needs</i>	n/a	Federal skilled worker programme
<i>Route to permanency</i>		Provincial Nominee Programme
<i>High-skilled</i>	Tier 1 is for the very high-skilled immigrants who are not	High Skilled Migrant Temporary Foreign Worker

	required to have a job in the UK	Programme
<i>Low-skilled</i>	Tier 3 is limited to the low-skilled workers to fill specific temporary labor shortages (this has been closed for the non-EU low skilled)	Low Skilled Temporary Foreign Worker Programme
<i>High-skilled</i>	Tier 2 is for the medium skilled to high skilled immigrants with a job offer who are to fill gaps in the UK labour force	Canadian Experience Class
<i>Low-Skilled</i>	Seasonal Agricultural Migrant Programme	Seasonal Agricultural Worker Programme
<i>Students</i>	Tier 4 is for general student visa	
<i>Temporary works</i>	Tier 5 : This category contains six sub-tiers of temporary worker including creative and sporting, charity, religious workers, and the youth mobility scheme which enables about 55,000 young people every year to work in the UK on working holidays. The visas are awarded to young people from countries that have reciprocal arrangements with the UK.	
<i>High Skilled Temporary Foreign Worker Programme</i>	No –Tier 1 and Tier 2, some parts of Tier 5	yes
<i>Low Skilled Temporary Foreign Worker Programme</i>	No	Yes

4. Preliminary Findings

One of the key findings is that there is not much concern about temporary integration and it is not very easy to change the vision of the policy-makers in order to influence thinking on integration as a temporary phenomenon. Only those who are high-skilled are given the right to integrate in the short-term and fully. However, for the low skilled there are more opportunities (for some groups) to be integrated in Canada in comparison with the UK³⁵. This is because the UK's migration policy towards the low skilled has become more restrictive and selective, if closing Tier 3 is also considered besides other changes, (it is even becoming more restrictive towards those from within the EU as well³⁶) and this difference between the open route to low skilled in Canada and closed route in the UK can be explained from both a historical institutionalist perspective (Consterdine and Hampshire, 2014) as well as from a Marxist functionalist approach (Hansen, 2014). The idea of controlling immigration has turned into the idea of managing migration (ibid.) during the Labour Party's last administration. This has often been seen as an improvement in terms of the liberalization of immigration policy in the UK (Somerville, 2007). Even though the same idea about controlling immigration exists in Canada it does not attract as much attention in public debate.

Generally Canadian public opinion is very much pro-migration, and this makes a great difference, too. Freeman (1995) has argued that public opinion does not count as much as the organized interests but the differences between Canada and the UK are partially due to public opinion, because the politicians are accountable towards their electorate. Immigration is a highly politicized issue in the UK, which makes it possible for the public opinion to matter to a great extent. Historically, having been an immigration country, Canada certainly fares much better in terms of integration; immigration is a serious business in Canada while in the UK integration is a dimension that used to be more prominent for the refugees but those programmes regarding the integration of the refugees have been discarded. During the Coalition Government's administration there had been many budget cuts to integration funds, too.

Despite these facts, there is also restriction in the case of Canada and this shows that even if the programmes are not being closed they are being reformed in order to be more restrictive in terms of the numbers, but also to prevent the exploitation of the TFWs. Their justifications are converging and "putting the British or the Canadians first" seems to be one of the justifications. But in the Canadian rhetoric there is also a reference to the exploitative and abusive side of temporary migration and temporary works, even though one of the main aims is to put Canadians first:

"Given concerns over abuse of the Temporary Foreign Worker Program (TFWP), the Government is making a significant investment in its TFWP

³⁵ Examination of the data shows this result as well as MIPEX, however the data is not given in this paper as its analysis is not in the last stage.

³⁶ <http://www.bbc.co.uk/news/uk-politics-30224493> accessed on 29th of November 2014.

inspection regime. Despite the fact that the Low Skill TFW Pilot Project was created in 2002, no inspections were done at that time. In recent years, the Government began conducting inspections, and there is now a dedicated team of inspectors for the TFWP at Employment and Social Development Canada (ESDC). Nevertheless, an additional investment into the TFWP inspection regime is required to ensure stronger enforcement.”³⁷(p. 17)

With no reference to exploitation, closing the SAWS in the UK has been justified as such:

“The government recognizes that the SAWS has for many years provided an efficient supply of labour for the horticultural sector. The Department for Work and Pensions has been working with JobCentre Plus, LAN'TRA (the sector skills council), the National Farmers' Union and others, including growers and horticultural recruitment firms, to help unemployed UK residents into horticultural work through training and guaranteed interviews. A pilot scheme to encourage unemployed UK residents to apply for, train and secure jobs on arable farms has shown encouraging results with a high proportion of participants going on to secure employment in the sector. We want to build on this and other innovative approaches.”³⁸

Firstly, the difference reveals itself in terms of the openness of the routes for permanent residency to the low skilled. As I have asked my interviewees, if it is possible in the future to have a similar programme to the Canadian one such as the Live-in Caregiver programme (which can be a programme considered for the low skilled) both the CBI (Confederation of Business Industry) and Home Office has said that it is not plausible that there will be such a programme. However, this programme also has its problems, such as the fact that waiting for the permanent residency takes longer than two years although it should be given after two years of domestic work (as indicated by one of the interviewees who is a Liberal Party MP John Maccallum). In the UK the low skilled route for the domestic workers was closed off in 2010. Only those who are investors or entrepreneurs and who want to bring their domestic workers with them have the chances to make easier for their domestic workers to stay according to my interviewee from the Home Office. However, the domestic workers have no choice but to work with the same employer. In April 2012 there was a change in the legislation: “Overseas Domestic Workers coming to work in the private household of their employer are only allowed to accompany an employer (or their spouse, civil partner or child) who is visiting the UK and must leave the UK with the visitor after a maximum of

³⁷ http://www.esdc.gc.ca/eng/jobs/foreign_workers/reform/overhauling_TFW.pdf

³⁸ <https://www.gov.uk/government/speeches/seasonal-agricultural-workers-scheme-and-the-food-processing-sectors-based-scheme>

six months, and may not extend their stay, switch employer, sponsor dependants or settle in the UK from this route.” As it has been seen that they have to leave after six months, which is a very short term first of all to work as a domestic worker, and gives them no chance to stay longer and attain permanent residence status (PRS) as in the case of Canada.

Secondly, the labour migration policies are employer-driven in both countries and all the organizations confirm this point of view. This results in the fact that integration is not a concern of the employer and if the state does not take the necessary steps to ensure integration then temporary or permanent integration are totally out of possibility. I asked my interviewees a similar question, and someone from the Home Office UK answered with the following:

“People who make the policy are Home Office ministers but the policies have developed over many years and have been amended. Is it an employer driven policy? Yes it is much more employer driven policy now. We moved from having what was termed from Tier 1 general route which was a route where people would who has a reasonable level of education and reasonable level of skills would get a visa and come here to look for work. The present government abolished that in 2011 and made tier 1 much more focused on investors and entrepreneurs and then tier 2 is very much an employer-sponsored route. So anyone who comes as a skilled worker needs to have an offer of the job from the employer. Since we introduced an element of a route which is not employer driven which is obviously work driven but this is only for post-graduates, you have to complete a post graduate study and then you can remain in the UK to look for work.”

In contrast, David Blunkett who was the Secretary of the State for Work and Pensions during the last Labour administration has indicated that temporary migration is not necessarily an employer-driven policy, at least on the political side the employers had no impact on the policy-making directly despite the fact that economically they did have an impact:

“No I would say that the employers have failed to exercise the influence on the public policy although they have driven the practical magnet of pulling in labour. So on a practical note they obviously sought to be able to fill gaps in the employment, they have obviously gazed in what is very flexible and open labour market, they often gone out across the world back in the late 1940s to appeal to the people in the Caribbean to come to the UK to fill jobs, in 1950s it was through the health service. Lots of employers in the agricultural and horticultural areas wanting people to come in as fruit pickers, who are involved in processing and we have seen in the high tech business, people wanting to bring in people

with those high level skills to fill in vacancies. We have seen a practical drive abusing the labour market what they didn't do then is to articulate and put that into political arena so they were not directly influencing the policy very often when the patricians (?) were under fire for facilitating an open labour market and encouraging people who had for instance in the EU had the right of freedom of movement to actually work openly rather than the sub economy, employers failed in dismay to support the politicians, rather through the Confederation of British Industry or small business federation or the institute of directors or the National Farmers' Union... What I am saying is that from an economics sense on their behalf and in their interest, in the political arena they have not really been influential."

Blunkett was drawing attention to how in economic terms the private sector has influenced migration patterns in the UK, but much less so in terms of policy. In both low skilled and high skilled sectors this has been the case, e.g. fruit pickers and high tech business. They have attracted employees from both inside and outside the EU, but have failed to exercise any kind of political influence, for better or for worse. However, all my other interviewees from the UK thought that it is employer driven, and amongst them there was a person working in Migration Yorkshire, too.

In Canada, temporary worker policies are generally employer-driven, and the Liberal Party interviewees I have spoken with have agreed with this. However, they had other concerns too. It is a proof that the Canadian Chamber of Commerce (CCC) is very well aware of all the programmes compared to the politicians I had spoken with. The CCC is also informed about the efficiency of each programme. The CCC was not very satisfied that the Expedited LMO was removed, as their interests mostly coincide with the interests of the businesses that were benefiting from fast recruitment of the migrant workers through expedited LMO. It was amazing to see how knowledgeable they are. However, they claim that the state is actually intervening in some way as the system of recruiting the low skilled immigrant workers has slowed down and it is not good for the small and medium sized industries, which need these workers to continue their work. Sarah Anson Cartwright said:

"You are trying to plan for projects that need x number of workers you are not able to find the workers domestically for these jobs, skilled, trained and experienced to move into those jobs, then when you decide I have to look abroad, to have all of that uncertainty means that your project is in limbo because of these difficulties so it is really from an employer point of view it has been a real setback and because some of the changes have not been implemented one of the other changes is that when you apply for an LMO you

also have to put in a transition plan showing how you move towards a Canadian workforce.”

In details, the Canadian government has also found a way of making it more beneficial for itself as well. For instance, what is seen is that for all the foreign employees there is a fee paid to the government in Canada. Therefore, in Canada businesses are not happy that they have to pay fees for the employees they take. In the UK an equivalent control mechanism had been established after the deaths of Chinese agricultural workers in 2004 (Scott, 2007). The GLA (Gangmasters' Labour Agency) was established by the Labour Party to control the implementation on food processing and agriculture. Its aim was to prevent any exploitative circumstances and create checks upon employers. This agency does not carry out other controls regarding other sectors and, therefore, most of the migrants' rights organizations and unions advocate the idea that they should also be regulating the areas such as construction and domestic labour. These are sectors prone to possible exploitative conditions and because of the nature of the construction jobs, there is more possibility that dangers involved for the lives of the workers are higher (Rogaly, 2008). The Migrants Rights Network defends the idea of the expansion of discretion to other areas, too.

In summary, governments regulate up until a point, and the policies—despite being employer driven—cannot completely be so. In some cases national interest and the economic interest of the private businesses can conflict. Since the regulations made by the governments are limited, these regulations during the Labour Party period as well as the Coalition government, have been seen as inefficient by Wilkinson (2014) and Scott (2013). They adhere to the idea that under-regulation was the norm and this has led to more vulnerability on the side of the migrant workers.

The third analytical debate that has come up as I talked to Migration Yorkshire and the IPPR (Institute for Public Policy Research) was that in Canada it is not socially acceptable to be an anti-immigrant person and announce anti-immigration views publicly. One of my interviewees from Migration Watch Canada indicated that his job application was refused because he indicated during the job interview that he was worried about the number of the immigrant inflows into Canada. He supported the idea that local people should be trained and that they should be fulfilling the job vacancies rather than foreigners. The ones who are more in favour of restriction in the numbers have a nuanced perspective but they cannot be very influential in policy making. All the parliamentary debates regarding immigration in Canada, is full of speeches of the MPs saying that their grandfathers or parents had been immigrants too. The politicians have to make considerate speeches to get the votes of the immigrants and immigrants' grandchildren more so in Canada.

On the contrary, in the UK the debate has been over controlling and managing migration since 1997 (Somerville, 2007). The Labour Party had opened the door to Eastern European migrants for work purposes while they had cut the benefits for asylum-seekers and limited their numbers

(Statham and Geddes 2006, Somerville 2007, Flynn 2003). This seems to be a controversial decision at first, on the side of the Labour Party. However, Flynn (2003) indicates in his article that it is actually consistent what they were doing, they were giving the economy the prominence and so they were hiring foreigners to fill labour shortages and in line with the same idea in mind, they were trying to cut the spending on asylum-seekers. What is more, the cuts made to the universities in 2010 have also affected some other aspects of integration policies in the UK, as one of my interviewees from UNITE indicated. The universities were providing the personnel to give lectures in English teaching (ESOL-English as a Second Language) to the migrant workers coming to the UK. And these teachers were paid by the universities. However, in 2010 the budgets were cut and since then UNITE is teaching the students (migrant workers) with voluntary teachers who are paid nothing for the job they do and yet there are more and more migrant workers who want to learn English. Hence, when the public debate or opinion or politicians underline that the migrant workers should learn English, the idea that government can contribute to English learning or that integration is a two-way process (EU, 2003: 17-18) where both sides (host society and migrants) shall do their part to integrate and to be integrated.

On the other hand, David Blunkett has also clarified the reasons why there has been an anti-immigrant attitude in political parties in the UK. His explanation was that this party who had anti-immigrant rhetoric actually did not gain a lot of votes when one thinks of the places where there is a lot of migration flow:

“And it is actually might take them rather than having taken them. So it is more deception of what might happen if you look at the results in the recent European election, where the far right in the form of UKIP has done well, it has been on the fringes of areas where there is immigration influx, who could have been more fearful about what might happen and what has been happening. In London, the diversity is an everyday experience where there are more migrants and the experience of difference is very considerable the UKIP did very badly in comparison with the rest of the country. So that is just a practical demonstration.”

There are no such kinds of parties in Canada. John Maccallum, an MP from the liberal Party has explained it as such:

“I think Canada throughout history has been dependent on immigration, we were a new country of immigrants and immigration has been important in building up the county so I think unlike some countries in Europe we do not have any political party that is anti-immigration and some of them maybe but quietly none of them publicly say too many immigrants. In contrast, in Europe as you may

know, in France, Holland, Germany and Scandinavia they have anti-immigrant parties but we do not have any anti immigrant parties. We have some anti-immigrant politicians but they do not say it. If they say that they would be unpopular with the voter. I am not saying that we are all wonderful pure immigrant lovers. Most of us are. But those who do not like immigrants, they keep their mouths shut about it.”

And he also underlined that there is a consensus amongst the parties about immigration that the numbers would never be cut as the immigrants are needed economically and that they are historically and traditionally welcome. Compared with Europe, where there is a clear anti-immigrant sentiment, the Canadians are very much pro-immigration.

The fourth finding is that both in the UK and Canada global competition for the high skilled has been continuing throughout the last two decades, and it has been even more prevalent after the 2000s. John Maccallum, the Liberal Party MP, has also underlined that Canada is a part of that competition where everyone tries to attract the highly skilled immigrants. Immigrant lawyers and politicians from Canada had confirmed it, while the expert academics such as Martin Ruhs who is a part of the MAC (Migration Advisory Committee which gives advice to the government on immigration policies was established during the time of the Labour Party) and CBI have also confirmed this kind of approach. As global competition for the high skilled is increased between the developed countries, all the states agree that there should be high skilled immigration in greater amounts. One of my interviewees from the Center Forum claimed that high-skilled workers contribute more to the economy than the low-skilled and there is a similar understanding in Canada as one of my immigrant lawyer interviewees has underlined. But this approach and dichotomy of high and low skilled produces very divergent results for the integration and inclusion of the low skilled migrant workers. Therefore, this approach makes it less possible for the rights of the low skilled to be protected, even if this is a result that occurs indirectly.

The fifth finding is that, in relation to the high skilled immigrants, even if my thesis is not involved in the debate for development of the sending countries, brain drain was a question that I asked to both sides in order to get an answer if in these countries the competition for the skills lead to brain drain and if there are any concerns about it. What has been observed is that the policy makers, politicians and also the immigrant lawyers as well as migrant organizations have given me the same idea: They do not regret brain drain or high skilled migration as the information that the interviewees prevail. The reason behind asking this question is to understand the different approaches towards the high and the low-skilled.

This lack of remorse about brain drain certainly leads to the facilitation of not only the admission of the high skilled, but also facilitation of their integration as it is the case in Canada. In the UK, in

some cases, temporary migration is also a choice for recruiting the high-skilled so their integration might not be an issue debated by policy-makers. One of the immigrant lawyers in Canada underlined that family reunification for them is easier as they assume that the husband and wife of the migrant worker is supposed to be highly educated and easily integrated too. When I asked the person I had met from the Home Office in the UK whether it is easier to integrate high-skilled immigrants, he had the following response:

“Probably not, on the side of the government and the policy-makers. But there are policies in place I mean for the health service as I said there have been policies introduced. There are not such concerns around skilled workers but there are schemes that we support for example for government workers from developing countries to come for a short period, get some skills, education, training and then return so in a sense there are schemes that actually support the return of the people after developing their skills but it is not a priority for the government. There is no overarching government strategy to do ... which is typical of the UK, we do not have written constitution or example. So we do not tend to write strategies down, we tend to respond to events a lot. That is the nature of the UK's politics and policies.”

Assuming that high-skilled are better qualified and can integrate easily, does not reveal the whole picture in which the high-skilled are also a part of return migration. But this seems to be a vicious cycle, with policies attracting the high skilled and brain drain becoming further entrenched (for those who are coming from developing countries will want to stay as indicated above). In line with this phenomenon, this might exacerbate the precarious situation for low skilled immigrants, whose integration does not seem to be at ease by the policy makers. Hence, without a decrease in their numbers, their integration is at stake. As it has been seen previously from the data above the TFWs who gain PRS are not all necessarily high-skilled, those who gain PRS through CEC or PNP, amongst which there are ones that are temporary and low skilled.

One of my interviewees indicated that TFWP is a solution to prevent the low skilled to stay in Canada. For instance, Mike Bell, who is an immigrant lawyer, said: “what I see is that you put restrictions in place for the TFWP. In that most TFWs can stay a maximum of four years. It tends to prevent people with low-sets of skills unlikely to depend on social services in Canada to remain here permanently.” However, this might not be the case. Temporary migration is not posed as a solution, but migrant workers might come and stay as it happened in Germany and nothing had prevented them from settling there. If the integration measures had been taken in the beginning, Germany would not have been through the crisis of integration of the Turkish, as they were thought to be temporary but they stayed permanently (Berger, 1975; Abadan-Unat, 2002) and it seems that most of the academics and policy makers do not take any kind of lessons from this.

They prefer short-term solutions rather than thinking of diversity and integration with long-term implications.

The sixth finding is that after talking to organizations in Canada it is possible to see that they work with each other in better connection. However, one of the most important organizations which has very strong connections with the state, and which has a central role in terms of organizing integration of the immigrants, is the CIC (Catholic Immigration Center). They are focused on referral, information and orientation. They also give suggestions to the government about the difficulties that migrants and refugees are going through. They have also connected organizations such as those helping women, immigrants and refugees. Jack Nicholson has said that “Government thinks that our absorptive capacity is that big and it wants to deploy that absorptive capacity primarily for those in their minds who are going to contribute to building the economy directly rather than any long term social capital issues so this is the dichotomy/this is the dynamism we work with all the time.” They have many agencies in Ottawa (the capital) serving the refugees: “We are 11 agencies to serve immigrants and refugees. And we have some specialities. So we have got an agency that focuses on the education system, that focuses on Jews, we got an agency that focuses on Somalians. Another one that focuses on Chinese, another one that focuses on women, one that focuses on labour market.” Therefore, they have many branches and they are well organized, they are good networks and they are all professional and experienced with immigration issues. Immigration is a fact of everyday life in Canada and it is one of the most important areas that Canadian government and the organizations take into account. In contrast with what is happening in Canada, it seems that the mentality of zero immigration in the UK (Joppke 2010; Hansen, 2014) had negative effects on integration.

One of the voluntary migrant organizations I interviewed in London underlined that there is a policy of “disintegration”³⁹ in the UK, not a policy of integration. The voluntary structure of the language courses and the cut to the budget prove this point. The same organization also stated that there is no difference between migrant workers from Eastern Europe and those from non-EEA countries, because the situation of those coming from the Eastern European countries, if they do not speak the language well also makes them vulnerable. They may also not be aware of their rights. In addition to this fact, one of the most important issues to be underlined is that migrant workers from the EU or non-EU are all put in the same category in the eyes of the unions, and in the eyes of the voluntary organizations. They witness people to be helped on both sides despite their legal status differences.

Organizationally in Canada, the CIC is receiving funds from many different sources. One source is government funding, and the other is through charity. As Nicholson has underlined, they are “a

³⁹ Disintegration might not be the grammatically right word but the social worker I interviewed used this Word and I also wanted to use it as it is.

charity and non-profit corporation what means is that the government is a co-investor because when somebody gives us a dollar government says 'because that person gives you a dollar you do not have to pay tax on something what you earn'. So in that sense it is a co-investor." Publicly people can join too, and become members, therefore the ways of collecting funds is diversified in this manner and this is good for the sustainability of the funds of the organization in a way. However, in the UK, since the organizations are mostly government funded, once they have problems regarding funding they have no other funding to rely on. This fact definitely reflects what Joppke (1998: 273) was writing: "In a settler nation nation-building coincides with immigration, immigration policy is a highly institutionalized process, in which pro-immigrant interests have a legitimate entrenched role in policy making. (In a settler nation, like USA and Canada)"

The seventh finding is that even though there isn't discrimination based on race and color, (although there are studies which indicate that there is still that kind of discrimination), there is indeed discrimination towards the low skilled in Canada. The director of the Jamaican Canadian Association has underlined this aspect:

"My impression is that the rules and regulations are being made more strict and rigorous; many changes are in response to past abuses of the system. For a long time, there has been special attention in one way or another, of the economic value of various immigrant groups. For example, at various time special groups were favoured or sought, e.g., "domestic workers" from Jamaica in the 1950s; Philippine child-care workers. The points system always favoured those with trades, professionals, higher education. An 'economic' class, those with large amounts of capital to invest, receive special welcome. The policies discriminate against under-educated, low-skilled immigrants who speak neither English nor French."

Finally, in Canada there was a kind of political unrest with regard to hosting people temporarily and sending them back. For instance, Maccallum said "*And that there was abuse in the system and I think that the Canadian pattern historically has not been TFWs or what the Germans call guest-workers.* Our philosophy is that we let people in with their families, they become citizens, they become Canadians as opposed to that we let them in for a little while and shut them out again. So I think we have gone too far in the direction of temporary foreign workers." He said that this policy used to be better when there were not too many numbers and the ones who came were accepted. Alboim, who I had interviewed on the phone, said that the new TFWP for the low skilled might actually lead to an underground economy, since those who are coming might not leave at all since the necessary controls are not made on exit and they are not accompanied to the airport, their tickets are not bought and many other necessities are not realized as such. She claimed that the programme should be closed as it

opens the route to low-skilled workers and it prepares the background for them to be exploited (Alboim, 2009)

What are the consequences of these aims and policies? I argue that these policies, which are mostly employer-driven, (as I have observed in my interviews and also acknowledged as a result of reading the government backgrounders for policies in both countries), prevent the integration of low skilled TFWs, and promote the integration of the high-skilled temporary foreign workers. The case of the high-skilled is more valid for Canada. Immigration policy although dealt separately is closely related to integration policy in that sense in Canada. Institutionally and historically immigration and integration are linked in Canada, while in the UK this link can be easily cut by policy-makers.

These findings incur these consequences: brain drain from the sending countries for the high-skilled, temporary migration for both categories becoming more prominent without any measures of temporary integration and limited opportunities for the low-skilled, exploitation⁴⁰ and unexpected undocumented labor as a result of restrictions on the stay for the low-skilled TFWs⁴¹. The main difference is that Canada's institutions allow for permanency much easier than the UK even for the low-skilled⁴² as MIPEX data also shows. Canada relies on the TFWPs as much as the UK but UK chooses to close temporary programmes such as SAWS and SBS, while Canada would prefer to decrease the numbers of temporary migrant workers recruited. The UK seems to prefer more flexible and temporary work both in high and low skills. In Canada, policy-makers show remorse for this fact, as their immigration and integration policy were linked strongly historically, while in the UK temporary migration policies seem to be an objective in line with decreasing net migration levels.

5. Conclusions

Most of the time migration and integration policies are made from top to bottom and from a nation-state centred perspective (Favell, 2007). Integration policy in general signifies immigrants who are to be integrated (more assimilationist perspective) with regards to their lifestyles, the language they speak and the wish to adapt to the living standards of the host country as much as they can. Since long-term integration has evolved in such a way, the short-term integration of the economic migrants, TFWs or migrant workers, are not considered as a possibility at all. They do

⁴⁰ The definition of exploitation is important at this point. I find Attas's (2000: 75) definition very useful: "The concept of exploitation is open to a wide range of interpretations. So wide is it that it is impractical to analyse and consider the entire range of unequal exchange and forced exchange. According to most accounts of market exploitation, an exchange is exploitative if and only if one party (the exploited) receives a payment of lower value in return for the goods and services he supplies; further, there must be some minimal force or deception involved, in the sense that the exploited person is unsatisfied by this inequality in values exchanged, and would choose not to exchange at these terms if she or she were aware of this and the choice in question were available."

⁴¹ This is an issue discussed by Carens as well as other scholars, and also can be confirmed by my interviews with experts such as Prof. Naomi Alboim.

⁴² In the future work the data will also support this argument.

not need to speak the language, they do not need to see their relatives in the sending country (it is better that they have no relatives so that they concentrate on work- as indicated by scholars) and the less they know the better it is. They are to work and go back home. Temporariness necessitates that they do not integrate. There is no room for temporary integration, looking at the dominant perspectives on integration and policy-making. However, the solutions or the non-solutions that are posed by experts and policy makers are not the answers to the problems encountered by migrant workers in both Canada and the UK.

The findings of the interviews are as follows:

- 1) Canada is more open to integration of low-skilled temporary migrant workers. However, within that category the most advantaged are domestic workers. The UK, on the other hand, would prefer low-skilled work as temporary and domestic workers are no exception to this framework.
- 2) Temporary labour migration policies in both countries are employer-driven and all but one interviewee has accepted this approach.
- 3) Being pro-immigrant is deeply entrenched in Canadian culture while in the UK it is possible to be anti-immigrant both publicly and also via party politics. Although public opinion is not given much credit by some scholars for policy making, public opinion in both countries seems to hold explanatory powers for the policies made.
- 4) Attracting skills has become more important over the last 15 years in both countries. There is an inclination to attract the high-skilled either for temporary or permanent contracts. However, Canada is more pro-active as it keeps more routes open for this purpose and devises new policies such as Expression of Interest to recruit the high-skilled migrant workers more directly.
- 5) There is no concern regarding brain drain in both countries. This finding has implications for research on development and migration.
- 6) Discrimination is directed more towards low-skilled migrant workers in Canada who cannot speak French or English as one of the interviewees explained in detail; while in the UK, discrimination is directed more towards non-EU low-skilled citizens to whom the route to enter has been closed (Tier 3).
- 7) Finally, temporary migration is against the history of immigration in Canada and parliamentarians indicate discomfort with the idea of high numbers of TFWs as they do not want to replicate the guest-worker system. In the UK, temporary migration seems to be an accepted and conventional tool for employers, policy makers and also for reasons of keeping immigration numbers low.

One limitation of this research was that neither the TFWs nor the employers were interviewed. However, both of these studies have been conducted (Rogaly 2008, Scott 2013, Hennebry 2014,

Preibisch 2004, Sharma 2007). It has been observed that deregulation of the labour market in the UK and “demonization of migrant workers” (Wilkinson, 2014) have been unavoidable. With GLA there has been some regulation but it does not spread to other important sectors such as construction. The recruitment of Mexican and Caribbean migrant workers in Canada has made the market forces and employers irreconcilably powerful compared to the labour force. This demonstrates that there should be temporary integration schemes for TFWs so that they can prepare for future integration, where there are the necessary schemes set up in the Canadian institutions. And if they are not prepared for any kind of future settlement, temporary integration provides a shield against exploitation and knowledge they can take home.

Carens (2013) criticizes those who say these are political rather than moral issues. Then we ask ourselves what kind of questions are involved if they are as such: moral, philosophical, ethical, political, social and economic. It is vital not to ignore some part of the debate on any kind of immigration. Different issues carry weight for different types of migration. Although being primarily economic, the issues related to temporary migrant workers are considered only within the economic aspect. This leads the policy-makers and experts to turn a blind-eye to the other aspects of the lives of the migrant workers (such as social and cultural). This one-dimensional approach and lack of understanding in turn results in policies that are implemented with only partial considerations and to find temporary solutions. But temporary integration is both a temporary and permanent solution: Those migrant workers who want to return, can use their agencies without being exploited and those who want to stay can be integrated more easily in the long-run, as in the short-term they could be accustomed to the practices and culture of the receiving country. Hence, this type of integration would also enhance their capacity to have mobility in the labour market.

What could temporary integration entail?

- Economic and social rights should be complete (as also defended by many scholars)
- The social aspect in the host country is neglected for TFWs or temporary migrants. It should not be neglected to the extent that they are isolated and segregated, some state-funded programmes and funding should be given to the NGOs in the area who can be responsible for arranging social and cultural events for the migrant workers.
- Learning the language should be a must both in the UK and Canada, as a part of an understanding of temporary integration, some basic courses of English shall be funded for lower prices as it is done in some of the European countries. This is a necessity supported also by the EU Commission’s two-way approach to integration.

- For those who stay for more than one year there should be local voting rights regardless of their nationalities so that the politicians at the local level will have to pay attention to the conditions under which they are working; for four years or more (regardless of skills) national voting rights should be granted so that the governing bodies somehow consider the conditions that TFWs are living.
- Family reunification should also be possible for those who stay more than one year and especially for those who want to continue to work in the same sector and would like to bring his family from home country (regardless of the skills). This aspect appears to appeal to the long-term integration. As a part of short-term integration, tickets for the families to visit once in six months (or more) can be arranged and responsibilities should be shared by the employers, local governments, local people and migrant organizations.

Whatever temporary integration involves, it should not be “a statist project” as Joppke (2007:17) refers to it, which is individualist and assimilationist. How the sending state would react to these changes and challenges is beyond the scope of this paper, but it shall be discussed in an entirely different paper how these accommodating approach of the receiving state would affect the sending state. It could be added that it is also the responsibility of the sending state to guarantee better conditions to its own citizens who bring remittances. A sending state, which is losing both low and high skilled citizens, would have to take action to develop its infrastructure, economy and living conditions so that it would not be devoid of human capital. Under the current conditions, where brain drain is the norm and low skilled migration is mostly circular, there is no motivation on the side of the sending state to develop its resources and socio-economic infrastructure.

Despite all these adjustments suggested, it seems as if policy-makers and experts would not mind history being repeated of the way it was in Germany⁴³ and many other immigrants living in Europe and the USA with no wish and motivation to go back to their home countries.

Normatively it is not suggested that one should stay in one’s own country if possible but it is argued that one should have a right to choose regardless of his high or low skills and decide for him or herself where to stay especially when a long time is spent in a certain place working and still being temporary each time they move. And if one wants to stay in their home country that person should not be discouraged to do that through a failure of his/her state (Oberman, 2011) and attraction of

⁴³ The guest-workers went to Germany to work and stayed (Abadan-Unat, 2002). In Germany the state has not devised any policies in the beginning for the migrant workers and migrant workers were treated as factors of production in a way at the initial period (sometimes being checked through health controls, living in the worst conditions from time to time as Berger (1975) had documented in his book with photographs). So they were not supposed to stay but they stayed and brought their families in after the immigration policies became more restrictive in 1973 with the Oil Crisis.

high wages in a developed country. What temporary integration proposes is that the chance of being able to move to another country regardless of one's economic or educational background could be possible if the states have concerns such as short-term integration which turns into long-term integration after three or four years of stay. Temporary integration will make it possible to integrate for the future (if the worker with his/her own agency chooses to stay – which is seen that has been the case historically for a majority of the cases) and avoid exploitation during employment. Temporary integration can serve both purposes: Stay and return. Temporary integration is necessary to avoid the functionalist approach of the receiving and sending states to the migrant workers, which reflects them as just 'functions' to contribute to their economy and little else.

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