

Koehn, S., Spencer, C., & Hwang, E. (2010). Promises, promises: Cultural and legal dimensions of sponsorship for immigrant seniors. In D. Durst, & M. MacLean (Eds.), *Diversity and aging among immigrant seniors in Canada: Changing faces and greying temples* (pp. 79-102). Calgary, AB: Detselig Enterprises Ltd.

Chapter 4

Promises, Promises: Cultural and Legal Dimensions of Sponsorship for Immigrant Seniors

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Abstract

Reuniting immigrant families has been considered an important goal in Canadian policy (Citizen and Immigration Canada (CIC), 2006). When an elderly relative is sponsored under the Family Class immigration category, the sponsor makes an unconditional undertaking of support for a period of ten years to the Minister of Citizenship and Immigration. This is a longer period than for any other Family Class group. In addition to their legal status as dependents, sponsored seniors—the majority from India and China—are left financially and socially vulnerable by a constellation of cultural, situational and structural factors. Based on case studies of the South Asian and Chinese immigrant populations by authors, Koehn and Hwang, and the legal expertise of author Spencer, we conclude that Canada's laws and policies have an important effect on intergenerational tension, the senior's status, social isolation, as well as the risk of abuse and neglect or domestic and workplace exploitation. These factors can influence access to essential services such as housing and health care services. While further evidence is needed, findings from preliminary studies indicate the need for policy-level revisions as well as other approaches to reducing the vulnerability of this significant subpopulation of ethnic minority seniors.

Introduction

In every society, the family forms the nucleus for social, physical, psychological and spiritual well-being. A healthy family is both a barometer of and a mechanism to promote the well-being of society. The right to apply to unite family members in this country has long been a cornerstone of Canada's immigration policy. Both immigrants and Canada are well served by this laudable principle and the resulting policy goals (MOSAIC, 2005, p. 1).

Immigration is a joint federal - provincial/territorial responsibility, with the federal government controlling the numbers and types of immigrants, and provincial- territorial laws and policies significantly affecting their day-to-day lives. The primary focus in Canadian immigration has shifted significantly in the past decade and a half to economic immigrants. However many older immigrants arrive under the family reunification program. For example, during the years 2002-2006, 88% of senior immigrants arrived under the Family Class (Multiculturalism and Immigration Branch, Government of British Columbia, 2007). Nationally, seniors comprised almost half of the all Family

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Class immigrants to Canada in 2006 (CIC, 2007)¹ As a condition of their arrival, sponsors (usually children) of senior Family Class immigrants are required to make an unconditional promise *to the federal government to support them financially* for a period of ten years, a significantly longer period than for any other Family Class group.

The process by which sponsored parents and grandparents come to and live in Canada, the circumstances of their lives, and the mechanisms by which federal and provincial laws and policies shape their experiences and identities during and post-sponsorship has received little research attention. Sponsored older immigrants are not only legal dependants during sponsorship when they come to Canada, they may be left financially and socially vulnerable by a constellation of cultural, situational and structural factors. As a result, sponsored older immigrants often suffer role reversals and a significant drop in status within families. During this period, they are excluded from the social resources that generally provide some security to Canadians in later life.

This chapter introduces some of the tensions of immigration status and explores how these issues are connected to family sponsorship laws and related policies. It describes the lived experiences of older Family Class (or sponsored) immigrants and their sponsors as well as the law's role in shaping identities and changing relationships. It considers these in the context of isolation, access to health care and housing, sponsorship breakdown and the potential for abuse or neglect within the sponsorship. The chapter concludes with several policy recommendations, including domains of inquiry to include in future studies of older adult immigrant populations.

Overcoming invisibility

“It's important to stress that they haven't chosen this country themselves; they would have preferred to stay where they were” explained a Punjabi community leader referring to many older adults from the Punjab² who came to British Columbia as Family Class immigrants (Koehn, 1993, p.140). He continued:

They only get benefits, such as pensions and so on, after they have been here for ten years. They are not angry about this, they have accepted it, but it makes them sad. In India, they have worked their entire lives, now they have to start over again working on farms. If they were more economically independent, it would help them build better relationships with their children. It would save a lot of misery, since they would be able to contribute more. Now, life is just survival. They have contributed to Canada in the sense that they have raised productive sons and daughters who work here—there should be some consideration for this.

Immigration status has significant implications for sponsored parents and grandparents and has emerged as a central theme in qualitative research conducted by Koehn (1993;

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1999; 2006) over a sixteen-year period with Punjabis in British Columbia. Especially relevant to this chapter is Koehn's (1993) study of late-in-life immigration which entailed the collection of in-depth interviews with sixty-two participants that included elderly Punjabi Sikh women (n=12), elderly Punjabi Sikh men (n=14), younger Punjabi Sikh women (n=12), South Asian community leaders (n=8), and South Asian service providers (n=16).

Hwang's (2008) research with Chinese seniors who have moved out of their sponsors' homes illustrates the ongoing struggle that many seniors face even after they have been in Canada for more than the initial ten-year dependency period. Aimed at identifying unique demographic, housing, and neighbourhood characteristics of Chinese seniors who reside in Chinatown, Hwang's data derive from a survey of fifty seniors, 24 of whom resided in Vancouver's Chinatown and 26 who lived elsewhere in the Greater Vancouver Regional District. This material was supplemented by a focus group with Chinese community leaders, health and social service providers, housing advocates, and senior volunteers (n=8).

The challenges associated with sponsorship of older family members have also been identified by other immigrant communities, such as the Vietnamese in British Columbia (Nguyen, 2008). Despite an apparent consensus among seniors, family members, settlement workers and health care providers that more attention to concerns around sponsorship in later life is required (Koehn, 2006; 1993) this topic has not caught the imagination of many researchers, particularly in Canada.

Côté, Kérisit & Côté (2001) have made the best effort to date to discern the hegemonic "reality" constructed by different levels of government and understand how it influences and frames family sponsorship policy in Canada vis-à-vis women. But interpretations of their lived experiences by older sponsored immigrants of the sort that this chapter provides, have been glaringly absent, with the notable exception of McLaren (2006a; 2006b).

The inclusion of the voices of Koehn's and Hwang's respondents speaks to McLaren and Black's (2005) call for alternatives to prevailing discourses that frame family class immigration as beset by "deadbeat sponsors" and immigrant parents, as undesirable burdens on society (Collacott, 2006). In this regard, the interstices between the hegemonic text that the policies and laws represent and the culturally mediated negotiations of identity by the sponsored parents and grandparents draw our attention to "borderlands" wherein the potential for supportive intervention as well as conflict and misunderstanding may be realized (Anzaldúa, 1987; Hinton et al., 2006).

Literature Review

Despite the aging and increasing diversification of Canada's population, "aging-related programs and policies continue to treat the seniors population as a homogeneous group

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and the variety of needs, concerns and histories of ethno cultural minority seniors often go unrecognized” (National Advisory Council on Aging, 2005). The blindness to “race” or ethno cultural identity and immigrant status in studies of aging is one part of the problem, argues Patel (1999); the failure of studies on immigrants to differentiate by age is another.

Other writers have also noted that studies of immigrants, too often focus on the individual rather than relationships within families or social networks that may facilitate integration and appropriate access to essential services, such as health care (Bailie & Denis, 2006; VanderPlaat, 2006). Yet familial networks can be important sources of the social capital necessary to facilitate successful migration.

Drawing on the Longitudinal Survey of Immigrants to Canada (Statistics Canada, 2005), Bergeron and Potter (2006) report that “seniors’ social networks tend to be dominated by kin” and that “immigrants landed in the family class appear to be the best connected,” which may lead people to assume immigrant seniors will have access to sufficient social capital to secure the services that they need and avoid social isolation. This argument appears to be supported, at least for the younger Family Class immigrants in Lewis-Watts’ (2006) study, who relied heavily on family networks for pragmatic advice as well as economic support, particularly in terms of securing employment. In-depth qualitative studies nonetheless reveal additional nuances. For example, Grewal et al. (2005) found that family members were pivotal to the health of immigrant South Asian women, but in two directions. Families may provide direct and indirect assistance that benefits the women’s health, but families also expect that women will fulfill certain prescribed roles and responsibilities that can have negative health consequences. For sponsored older adults, knowing only relatives may limit the available strategies used to solve problems and hence may increase their vulnerability to harm within relationships or from broader systems.

The connections between policy and health outcomes specific to immigrants are increasingly becoming recognized. Health and social policy changes in some provinces have been found to negatively influence immigrant and refugee health—most especially in the domains of mental health and spousal abuse (Steele, Lemieux-Charles, Clark, & Glazier, 2002). Côté et al. (2001) also suggest that family power imbalances are constructed in part by sponsorship policies and practices. Up to 1997, sponsored persons were not involved in the sponsorship agreement process, and their consent was not required. As a result, they were often ill informed about their rights; with many believing that their sponsor had the power to withdraw the sponsorship. McLaren (2006a) has also noted the role of Canada’s immigration policy in creating conditions of vulnerability, not only for sponsored parents and grandparents, but also for their families upon whom the responsibility for providing a social safety net falls.

At issue here is not the value of sponsored immigrants to the families with whom they are reunited and Canada as a whole; as Thompson (2005, p. L4) reminds us, “We seem to

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have forgotten somewhere along the way that immigration is a social program that helps define our society, not just an economic program that brings in workers.” Rather we argue that the configuration and cumulative effect of laws and policies themselves create vulnerabilities.

A shifting immigration policy that focuses heavily on immigrants’ potential economic value as workers, risks framing sponsored parents as an economic deficit (McLaren, 2006a). Thinly veiled bigotry poses as academic discourse in commentaries on elderly Family Class immigrants, characterizing them as undesirable burdens on society incapable of integration and ill prepared for the Canadian labour market (Grubel, 2005) Sponsored elderly immigrants have been represented as an “indirect” burden on taxpayers, and portrayed as “diverting” resources from the sponsor’s children and “hindering” the economic assimilation of their adult children (Baker & Benjamin, 2002).

A Thumbnail History of Family Sponsorship in Canada

Canada has a long-standing tradition of giving priority to family reunification in immigration policies (CIC, 2006). Family reunification is an important factor in “promoting newcomer integration and it is part of our international legal obligations” (MOSAIC, 2005, p.4). The extent to which sponsored older immigrants have been welcome at a federal and provincial policy level has nonetheless fluctuated over time, as evinced by a drop in admissions in this category from 18% of all immigrants in 1994, to only five percent a decade later (McLaren, 2006a).

Throughout the early nineteenth century, Canada took a number of measures to restrict the right of entry of newcomers likely to become public charges due to race, sickness, age or destitution (Côté et al., 2001).³ Modern sponsorship law emerged post-war when a 1949 statutory order set out the conditions of entry for the relatively extended family members of a principal applicant: the guarantor had to agree to “care for” the sponsored relatives. For the two decades prior to 1966, just over a third of newcomers to Canada arrived as sponsored relatives.⁴

Debate around the inclusion criteria of different family members, emerged in the late 1950s and early 1960s when some began to voice fears of an "invasion" by large numbers of unskilled workers from non-European countries (Côté et al., 2001). At the turn of the twenty-first century, economic immigration has swelled in response to current economic conditions, and resistance to admission of older Family Class immigrants is now framed in terms of a concern, accurate or not, about a potential strain caused by demographic aging and Canada’s ability to ‘take care of our own, especially our own elderly.’ Missing from this discourse is any recognition of the significant social and financial investment already made by working immigrants’ parents in raising families to adulthood, from which Canadian society benefits, as noted by the Punjabi community leader cited above.

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In recent years, tight control over family sponsorship has been exacerbated by significant procedural delays, leading to a class action lawsuit initiated in 2005, representing 100,000 affected parental applicants (as documented by the lobby group, Sponsor Your Parents, 2006)⁵ and comments in the Legislature by concerned politicians (Government of Canada, 2006a).⁶ These delays have significant psychosocial and financial impacts on the family and older immigrants in particular. People are left in administrative and legal limbo for years at a time after paying the processing fees, even though the files may not be opened for two years, and may not be processed for many more. Immigration lawyer, Pansula (2007) argues that that by delaying the entry of parents, CIC creates undue hardships on new immigrant families who rely on parents as an essential aspect of running a household.

The Undertaking

As Family Class immigrants, sponsored parents and grandparents are not subject to the education, language, and employability criteria of economic immigrant categories. They must, however, meet the general health and security criteria. As a condition of their arrival, sponsors (usually adult offspring) of Family Class immigrants must make an unconditional promise of support in the form of an Undertaking with the Minister of Citizenship and Immigration (2005). This is essentially a promise made by the sponsor to the federal government to financially support the older immigrant for a period of ten years. During the initial dependency period, seniors may not be eligible for public pensions such as the Allowance, Old Age Security or the Guaranteed Income Supplement, social services, subsidized housing or housing subsidies or other local benefits such as reduced fare bus passes. In addition many older immigrants remain economically disadvantaged even after sponsorship ends, because of the way the residency criterion for Old Age Security is calculated.

As part of the undertaking, sponsors must agree to cover the sponsored individual's "food, clothing, shelter, and other goods or services, including dental care, eye care, and other health needs not provided by public health care" to all Canadian citizens and permanent residents of Canada (Shelton, 2003). This list of responsibilities is not exhaustive and the government may refuse to cover other basic needs, such as language programs if the person is not considered destined for the labour market (Côté et al., 2001). The ten year clock starts ticking at the point where the person is granted entry into Canada as a permanent resident.

While the ten-year criterion for financial support is the same as sponsored dependent children, it is markedly different than the 12 to 36 months stipulated for privately sponsored refugees or the three years of support required for a sponsored spouse. In the face of evidence that the policy created power imbalances and dependency, and increased the risk of abuse or exploitation, the conjugal sponsorship period for women was reduced in 1994 in Quebec from ten years to three, and the federal government has since followed suit (CIC, 2005; Côté et al., 2001).

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Financial Ability to Sponsor

In addition to the other eligibility criteria, a prospective sponsor must meet minimum income requirements for the twelve months prior to application. This amount is based on the number of people already in the sponsor's family plus those they intend to sponsor and reflects the Low Income Cutoffs (CIC, 2005). A couple with two children wanting to sponsor the husband's mother, for example, would need to earn a minimum of \$41,642 annually. Providing the sponsor's spouse is willing to co-sponsor, the income can be jointly earned prospective sponsors must also prove that they have not been on any form of government assistance in the last twelve months, except for reasons of disability. In this regard, the policy requires a significant feat of prognostication: sponsors must consider their current position plus project their financial ability for ten years from the point the sponsored immigrant lands in Canada. The job security and financial stability of many Canadians is often unpredictable for any period, let alone a decade, due to numerous factors beyond their control.

Dependency and self-esteem

Intergenerational relationships are key to the success of sponsorship but pre-existing relationships between the sponsors and sponsored seniors, family structure, the seniors' resources (economic, language, etc.), the gender of the senior, motivations for sponsorship, the immigration experience (degrees of volunteering and familiarity, and so on) and sponsorship regulations all contribute to familial harmony or discord.

In Koehn's (1993) Punjabi sample, elderly women who sought to maintain the upper hand over acculturated daughters-in-law were said to cause considerable tension in the sponsoring household and/or could be extremely vulnerable, depending on the direction of the son's/husband's support in favour of either his mother or his wife. Arriving into a household in which the children were already of school age and more acculturated toward Western values, styles of dress and manner of speaking was also associated with higher levels of friction. Intergenerational tension was often exacerbated when grandchildren and grandparents did not share a language. Seniors who did not speak English, more often women, were disadvantaged both in relation to navigating their new environment, and within their own families. In another study by Koehn (1999), elderly vegetarian Punjabi Hindu women reported considerable tension when their sons married non-vegetarian, non-Hindu wives.

While differences in cultural orientation, language and religion are more commonly encountered in the immigrant context, urban Hindu Punjabi seniors living in India also reported intergenerational tension for the same reasons (Koehn, 1999). Yet in India, unlike Canada, elderly parents typically have greater social capital. There they are more likely to control resources, are relatively at ease and able to navigate their physical environments and institutional structures, and draw on a network of friends and relations for support. Subject to a ten-year period of dependency on their sponsors, immigrant

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seniors are rendered both economically and socially dependent on their families, which can place a tremendous strain on even the most positive of intergenerational relationships. Nor is this phenomenon limited to immigrants from India, as a Chinese service provider interviewed in Hwang's (2008) study attests:

When living with the younger generation, conflicts are inevitable. Shortly after [older Chinese] moved to Canada, they started to have depression and started to want to go back to where they came from—a lot of problems. The problems also extend to the next generation and affect their work. How to solve this problem? The seniors just need a place to settle. It doesn't matter even if the place is small. They just need a place. Probably they can take care of the grandchildren when they have time. Many conflicts with the younger generation will be prevented. It creates harmony (Chinese service provider, as cited in Hwang, 2008, p. 6).

Most significantly, sponsored seniors surrender their status as heads of the family. An experienced multicultural social worker succinctly echoed the comments of numerous participants in Koehn's (1993) study, particularly the service providers among them, when she commented that "with their married children running the home, [sponsored elderly parents] lose their traditional position of domestic control. This reversal of traditional patterns of dependence and authority can cause conflicts and a loss of self-esteem and depression in the elderly" (Assanand, Dias, Richardson, & Waxler-Morrison, 1990, p. 156).

The diminished respect shown to sponsored elderly parents by family members, especially evident in their attenuated decision-making powers, has been found in studies of South Asians in B.C. and Ontario (Joy, 1989; Koehn, 2006; 1993; 1999; McLaren, 2006a; Rahim & Mukherjee, 1984; Stephenson, 1991), and among Chinese Canadians (Costa & Renaud, 1995) and older immigrant women in general (Boyd, 1991). Efforts by sponsored seniors to control or manipulate family members can thus be interpreted as a strategy to counter the dependency that the sponsorship role imposes upon them.

Isolation

Although they live with family members, these seniors can be incredibly lonely and isolated from the supports and services that they need (Koehn, 2006; 1993; Rahim & Mukherjee, 1984; Sadavoy, Meier, & Ong, 2004). Often, parents are sponsored so that they can provide childcare for young grandchildren (Koehn, 1993; 1999). Most, but not all, of the elderly women interviewed by Koehn (1993) did not complain about tending their grandchildren; rather, they said that they enjoy it because they love them, because it keeps them busy, or simply because they see this as their role - the reason they are in Canada. Indeed, some young children succeed in validating their grandparents, particularly "if they seek their advice, treat them as a source of wisdom, acknowledge and

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respect them" (service provider, as cited in Koehn, 1993, p.112). Yet some of the elderly women and the majority of the participants in the other subsets painted a less rosy picture of the older woman's childcare responsibilities, commenting that elderly women view the childcare and domestic labour that they contribute as a means of compensation for their sponsorship:

Elderly women assume the responsibilities of raising their grandchildren... They feel obligated, duty bound. If they don't, they may have a problem with the daughter-in-law. This duty almost constitutes payment for her own care - she's earning her keep (service provider, as cited by Koehn, 1993, p.112).

Unremitting dedication to the care of grandchildren often serves to deprive elderly women of contact with their peers, preventing the establishment of support networks essential to their mental well-being: 78% of the elderly women interviewed by Koehn (1993) said that their responsibilities at home prevented them from getting out. These women were therefore less likely to participate in ethno-specific support groups that are important as a forum for social interaction and information exchange about essential services and rights (Koehn, 2006). Chappell and Lai (1998) have commented on similar patterns of isolation and the resulting limitations to health care access for Chinese seniors who were late-in-life immigrants to BC. Sponsored elders are thus likely to position themselves as vulnerable both in the family and in the new country.

Almost half of the elderly Punjabi women in Koehn's sample (1993) also admitted to feeling lonely. Participants in the other subsets saw the problem of loneliness and isolation among senior Punjabi women as being even more significant: one service provider estimated that as many as "ninety per cent of them are probably depressed. They're not involved in enough activities to sustain their creativity" (Koehn, 1993, p.78).

Isolation can be further reinforced by a combination of cultural mores, language limitations and sponsorship regulations that limit transportation options. Extended family members in the Punjabi community generally view the transportation of elderly women as a duty, but the women are forever waiting for someone to take them somewhere; men are more independent and often ride bicycles (Koehn, 1993). Already conscious of their extreme dependency, sponsored seniors hesitate to ask busy children for rides unless they are absolutely essential (Koehn, 2006). Women especially lack the language skills and information to successfully navigate public transit (Koehn, 1993). This reflects both gender discrepancies in education opportunities in the home country, but also the limited availability of English as a Second Language classes for seniors and the inability of women to attend them unless childcare is provided. The sponsored seniors' use of public transit is also limited by a lack of income and their ineligibility for senior's bus passes during their first ten years in Canada (Koehn, 2006).

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Housing Challenges

The stipulation that sponsors ensure that their sponsored parents or grandparents are adequately housed for the first ten years following immigration to Canada encourages co-residence, but it is not required (Baker & Benjamin, 2002). And while it accomplishes, in part, the task of providing for the sponsored parents' material needs, it does not guarantee that the seniors' emotional needs are met. Punjabi and Chinese seniors alike have commented on the distance they feel from grandchildren who do not speak their language adequately and children who work long hours (Hwang, 2008; Koehn, 2006; 1993).

Some seniors thus seek out an independent living arrangement separate from their adult children, but moving out of a sponsor's home isn't easy; limited by their financial dependency on their children or minimal incomes, and because housing at market rates is out of reach. Add to this the difficulty of accessing affordable housing and negotiating their environment with limited English and it is hardly surprising that many of the seniors in Hwang's study looked for government-assisted or government-owned housing in Chinatown:

Sponsored Chinese [elders] may move out and live in the senior houses, like those provided by the government. Because of the language problem, most of them prefer living near Chinatown. If they can speak English, or have been working and have good social skills, they don't mind living somewhere else because it takes longer to get a place in Chinatown. Another reason they want to live in Chinatown is because of the resources they can get here. It's easy to buy food and go to the Chinese restaurants. Of course it's getting better now because now Chinese food and Chinese restaurants can be found everywhere. But like a decade ago, many people really like living in/around Chinatown, even now. In Chinatown, government provides low-rental housing or subsidized housing. Like Mr. [C] used to living in the housing provided by the city government and he may want to share more about it later. In Chinatown, there are also many societies, restaurants, SUCCESS and Chinese Cultural Centre. There are many resources here and it is very convenient. They don't need to worry about the language barriers when accessing the services. SUCCESS really did a lot to help the seniors and it is like a big family. I also know there's the Lion's Club and other organizations. They also provide senior housing at a low cost (Chinese service provider, Hwang, 2008, p. 5).

Hwang's findings indicate that government resources such as subsidized housing, as well as community organizations, and local amenities, enable Chinese seniors to live separately from their adult children. Wong, Yoo, and Stewart (2006) have similarly found that the elderly Chinese immigrants in their study gained independence more quickly when they had access to a large network of Chinese-speaking community resources.

Among the most recently sponsored seniors, the availability of subsidized housing adjacent to a concentration of ethnic business districts was more likely to be associated with increased residential autonomy. For these new immigrants, the ethnic business

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district played an integral role in providing social and recreational activities, case management, congregate meals, and home care services. With increasing time living in Canada, Hwang found that seniors became more aware of their service options and focused increasingly on more negative features of their environment, such as safety concerns. While it is difficult to discern the causality in this small sample, seniors living in Chinatown appeared to be less healthy than their counterparts living elsewhere in the city. Hwang did not find any correlation with other variables such as age, income or education to explain this local level phenomenon.

Potential for Abuse or Neglect

There is a gradually developing literature on abuse of older persons in ethnic minority and immigrant families which has identified factors such as isolation, dependency, and ethno-structural change as factors that increase the risk of harm from within the immediate extended family (Anetzberger, Korbin, & Tomita, 1996; CANE [Clearinghouse on Abuse and Neglect of the Elderly], 2007; Carefirst Seniors and Community Services Association, 2002; Moon, 1999; Park, 2006; Tam & Neysmith, 2006; Yan, So-Kum, & Yeung, 2002). We argue there are two components of the legal obligation to provide for all of the sponsor's needs that significantly increase the seniors' susceptibility to abuse or neglect.

The first component is the length of time of the sponsorship obligation during which the financial status of the sponsor and the health status of either the sponsored parents or the sponsor may decline through no fault of their own. The result may be extreme financial hardship and sometimes, emotional or physical abuse, or passive or active neglect: "if a family finds itself in financial dire straits, the elderly parents may be treated badly; they may be subject to emotional abuse. They are more likely to be negatively affected if they are dependent [such as] if they do not have a pension and they are not self-sufficient. This may happen within the ten-year dependency period, especially if they are not [in paid employment]" (service provider, Koehn, 1993, p.125).

A younger woman interviewed by Koehn (1993, p.105) related how parents may be "questioned about the type of food they eat constantly so they are afraid to even go to the fridge." She also commented on financial abuse whereby the "son's family may take the money the elderly parents get from farm work, or from their pensions," a phenomenon also observed by Sethi in Prince George (Koehn, Assanand, & Sethi, 2007). The issue here is not whether or not sponsored parents should contribute to a family's living expenses, but the manner by which that contribution is extracted.

The second component of sponsorship related policies that may increase the potential of abuse is through the intensification of the dependency and resultant power imbalance between family members that the policies invoke. Among Punjabis, this imbalance is especially evident in the familial role reversals occurring between the mother-in-law and daughter-in-law who is the sponsor or co-sponsor living in Canada, with daughters-in-law

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seen as now having ‘the upper hand’ (Koehn, 1993). Dependent on their sponsors in every respect, including access to information, South Asian sponsored seniors often do not have accurate information about their rights. They are often fearful that the sponsorship can be withdrawn, and they do not know where to turn for help if problems do occur. Moreover, any public admission of abuse or neglect occurring in the family brings shame on all of the family members—something the elders would prefer to avoid at almost any cost. In Koehn’s (2006) Barriers to Access study, a health care provider further commented on how language barriers complicate the detection of abuse:

From an elder abuse and neglect perspective certainly that makes things a lot harder when you can’t communicate. I mean, you always deal with people being reluctant to admit that their daughter- or son-in-law or whatever is abusing them. But with the language difficulty it is really hard to pick up on the situation. And very often it’s a mother-in-law and daughter-in-law friction. Mother-in-law ends up in the basement with a bowl of rice once in a while. We’ve seen a lot of that sort of situation as well (Health care provider, Koehn, 2006, p. 2; see also Koehn, 2009).

Work and exploitation

During the ten-year dependency period, between 25 – 40% of elders who arrive in Canada after the age of 60 have no source of income (Dempsey & CIC, 2004). This reflects the fact that almost 80% of this group came as Family Class immigrants. The bulk of their income (approximately 60%) during this period is derived from income earned through participation in the labour market.

Participants in Koehn’s (1993) study agreed that at least 50% of all elderly Punjabi Sikh women participate in farm labour during the summer months. This is extremely arduous work, typified by long hours, low wages, and pitiful working conditions. To some extent, the social milieu is reminiscent of the Punjabi village, but most elderly participants, both male and female, reported the desire for freedom from financial dependence on their sponsors as the primary incentive for working:

Even though elderly women are not seen as a financial burden, the fact that they have no income is really a hindrance to their psychological well-being. In India, they have economic control in the household... If they are able to manage some income, even a small amount, elderly women regain some degree of self-esteem (service provider, Koehn, 1993, p.145).

While some are forced to use this income as their primary means of support, the majority spend this money on family members, on culturally mandated gift-giving essential to the preservation of social networks, and so on. Work performed by sponsored seniors is as

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much an effort to preserve their self-esteem and dignity and to secure a more respected position in the family as it is a means to access material benefits: “If they can't work, they won't ask the family for money. They are already sponsored, so they feel obligated as it is” (younger woman, Koehn, 1993, p.105).

The service provider cited above went on to describe the value of pensions to sponsored seniors: “They are much happier when they get a pension. It gives them some sense of independence if they are able to give something to their sons—say, towards the mortgage—some contribution to the household” (Koehn, 1993, p.145). It should be noted, however, that even after ten years in Canada, sponsored seniors are only eligible for partial pensions. At the ten-year mark, this translates into one quarter of the base Old Age Security (OAS) amount (or \$125.50 per month, as of March 2008) (Service Canada, 2006; 2007). Exclusive of cost-of-living inflation increases,⁷ the OAS amount received by the sponsored immigrant will remain the same no matter how long they live in Canada or contribute to Canadian society.

Once in receipt of the OAS, sponsored seniors are also eligible to apply for the Guaranteed Income Supplement (GIS), “a monthly benefit paid to residents of Canada who receive a basic, full or partial Old Age Security pension and who have little or no other income” (Service Canada, 2006). At \$634 a month for single individuals in March 2008, the maximum amount of GIS still leaves many sponsored immigrants below the poverty line (Service Canada, 2007).

Other Canadians and immigrants who arrived in Canada prior to the age of 60 are more likely to receive some contributory pension income (CPP/QPP) after the age of 65. CPP/QPP eligibility is contingent on making one valid contribution to the plan; the amount received is directly related to the length of time worked in Canada. After twenty years in Canada, the income of Family Class immigrants is comprised primarily of non-contributory retirement sources (OAS and GIS) (Dempsey & CIC, 2004), from which we can infer that, even after the ten-year sponsorship period, many older Family Class immigrants have very limited financial resources.

Ageism and racism can intersect for older sponsored immigrants. Member of Parliament, Penny Priddy, has pointed out that older Family Class immigrants can face discrimination in government policy based on their country of origin (Government of Canada, 2006b). For example, immigrants from countries such as Australia, New Zealand, and the United Kingdom do not face the same burden as do immigrants from countries such as India, Pakistan, and Sri Lanka, because the former group has reciprocal agreements on social security with Canada. The agreement can have a beneficial effect on residency credits which determine the eventual amount of Old Age Security the person will receive. On its face this appears to violate equality protections of human rights law in many provinces as well as section 15 of the Canadian Charter of Rights and Freedoms (Government of Canada, 1982).

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Access to health care

An obvious impediment to health care access for sponsored seniors is their lack of eligibility for any more than basic health services during their first ten years in Canada. Although in a broad sense, the Canada Health Act⁸ delineates federal and provincial or territorial responsibilities, what is covered within the 'basic health services' will vary considerably with province and territory. A health care provider participating in a focus group in Koehn's (2006, p.2) study of barriers to access to health care for ethnic minority seniors provided the following example of inequities in health care experienced by a sponsored South Asian senior in her care:

We find it real difficult to work with sponsored immigrants... We had a lady who had a CVA [cerebrovascular accident] and she'd been in the country for less than two or three years. She had a stroke and basically became wheelchair-bound so she needed access to good equipment to improve her functioning and she had the drive and the motivation to return to a level of functioning but unfortunately, the finances from the family [were insufficient] ... there was no support from the government meant that she didn't have access to this equipment, which is a huge problem for anyone under that 10-year program. Where do you go and why can't we get this equipment?

More subtly, the responses of sponsored seniors to sponsorship laws and policies that render them dependent can reduce the likelihood that they will seek medical assistance when ill. The extreme dependency and the associated status demotion that seniors experience in relation to their sponsors makes them hesitate to ask their adult children for anything unless absolutely necessary. As a result, some seniors do not ask sponsors to take time off work to provide the transportation and interpretation they need in order to attend a medical appointment, and health care providers tend to see them in crisis (Koehn, 2006). Sponsors may be unwilling or unable to take an elderly parent or to relieve them of child minding responsibilities to enable them to attend appointments (Sadavoy et al., 2004). Working on farms, seniors also find it difficult to take the time off to attend a medical appointment. Each of these factors, in combination with language barriers and their unfamiliarity with Canada's institutions limits their access to information about health and social services. As a result, they are less likely to benefit from the health promotion and prevention approach that regional health authorities are now advocating (e.g., Busse, 2007)

Sponsorship and Long Term Care

The criteria and process for accessing long term care varies with province and territory. An older immigrant who becomes frail or whose health deteriorates may need home support, an alternative living environment such as assisted living or a special care home, or skilled nursing care of a licensed care facility. In some cases sponsoring families will

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keep an elderly sponsored parent who has dementia or other significant health problems at home because they have been told they would be required to pay the costs and they cannot afford care. The result is inequitable access to health care, family stress, and the potential for passive neglect or in some cases, abuse. Ho et al. (2000) have also identified relationships between non-care giving stresses, such as low income, and unmet service needs among ethnic minority families aiding a family member with dementia.

In the case of licensed facilities, all residents are co-payers and the resident's contribution is based on his or her personal income. This is normally considered the personal responsibility of the resident (i.e. the individual needing care). The facility cannot legally require the sponsor to guarantee costs and the health authority in the province may have a process for exempting the health care cost component, but the family is seldom informed about the possibility (Advocacy Centre for the Elderly, 2003).

Broken Promises: When Sponsorship Breaks Down

Declaration of sponsorship breakdown, whether because the sponsor is unable or unwilling to continue to support their senior family during their first ten years in Canada, amounts to an infraction of the sponsor's legal undertaking. Unless they have an income or other relatives willing to support them, sponsored immigrants will need to apply for social assistance, a process which varies considerably across provinces and territories and which is by no means guaranteed.

While some jurisdictions such as the Northwest Territories (2002) preclude any sponsored immigrant from applying for social assistance, other jurisdictions (for example Saskatchewan and Alberta) allow the application, pending notification of Canada Immigration and Citizenship that the immigrant is no longer receiving any support from the sponsor (Alberta Income Supports, 2003; Saskatchewan Ministry of Social Services, 2007). However, some jurisdictions, such as British Columbia (2007), treat the social assistance payments to the sponsored immigrant, and the accruing interest, as a debt that sponsors must repay to the province. The federal and provincial governments collaborate to facilitate repayment under a memorandum of agreement (CIC, 2004).

Government views the social assistance paid to a sponsored immigrant as an 'overpayment,' which thereby empowers it to place a lien on the 'debtor's' (sponsor's) house and endows it with special priority rights to debt repayment, including garnishment. One could argue that this putative 'debt' does not respect the fundamentals of providing public social assistance for need, nor does it distinguish between bad faith and natural events that may prevent sponsorship from being observed, such as cases wherein there has been illness, job loss or marital breakdown.

In Ontario, for example, exceptions to the requirement that sponsors repay the debt are made only if the sponsor dies or falls ill, is living below the poverty line, or if the sponsored immigrant is being abused (Jiménez, 2007). At the federal level, however, an

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appeal of the decision that a sponsored immigrant was not eligible for the Guaranteed Income Supplement because the argument that the illness of an applicant's immigration sponsor does not result in a sponsorship breakdown was dismissed, and the ruling of the Minister of Human Resources Development Canada was confirmed (The Office of the Commissioner of Review Tribunals (OCRT), 2004). In Saskatchewan, even the death of the sponsor is not sufficient to guarantee eligibility for assistance since the sponsor's estate is held responsible to support the sponsored immigrant providing there are sufficient funds (Saskatchewan Ministry of Social Services, 2007).

The assistance that different jurisdictions provide for housing assistance is also inconsistent. Ontario's discriminatory practice of providing less assistance for housing costs to sponsored immigrants was recently reformed due to litigation, but the rules for obtaining assistance nonetheless remain complex (Shields & isthatlegal.ca, 2007). Similarly, the stipulation that seniors in British Columbia who have been resident in the province for less than ten years are not eligible for the Shelter Aid for Elderly Renters - a subsidy for low and middle income renters - has only recently been revoked (Government of B.C., 1977).

Estimates as to the rates and causes of sponsorship breakdown within the Punjabi community of British Columbia also vary. One of the service providers interviewed by Koehn (1993) claimed that it is not unusual to come across seniors who have been asked to move out when the sponsor is under economic duress. Another service provider and a younger woman placed greater emphasis on the family dynamics that precipitate the breakdown of extended household units and ultimately, the sponsorship agreement. As we have demonstrated already, however, it is the enforcement of sponsorship regulations and associated policies that introduces financial strain and intensifies power imbalances that together render the sponsored seniors dependent, demoralized, and vulnerable to abuse. Charan Gill (2007), who is well known in BC for his social justice work with Punjabi farm workers and seniors issues, has commented that in the majority of cases in which sponsorship breakdown has been declared, it is because the senior has become ill and the family cannot pay for the treatment that is not covered by provincial health insurance during the ten-year dependency period. Gill (2007) maintains that pressure on families to repay the social assistance 'loans' is contributing to their disintegration.

In addition to the bureaucratic and legal barriers to declaring a breakdown in sponsorship relations, seniors are inhibited from doing so by their own socio-culturally informed ethics and mores. These can include their own pride and desire to avoid shaming the family (the willingness of Punjabi seniors to engage in gruelling menial labour, so as to be able to ease the financial strain and uphold their self-esteem in the family is a case in point); their inability to return to the home country to which they have already "burnt their boats" by immigrating to Canada (Punjabi community leader, Koehn, 1993, p. 143); the difficulty of negotiating health and social service systems to secure health care and housing without language skills or familiarity with Canada's infrastructure; and the

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cultural inappropriateness of depending on certain categories of relatives. For Punjabis, for example, living with a daughter is usually not an option:

There are a lot of gaps in the system, which help perpetuate abuse of these seniors. For example, if elderly women are abused by their sponsor's family, and they go to family court, they may be told that they have to go and live with a daughter who lives here, instead of their son, the sponsor. The courts are insensitive to the cultural inappropriateness of this recommendation; they do not understand why this is next to impossible for some of these people. There's also a huge stigma of showing up the son, exposing the family's honour to public shame, in taking him to court. Some do this out of desperation, but it's very rare that they want to go ahead with this sort of action (Punjabi service provider, Koehn, 1993, p. 110).

Sponsored seniors living in families in which they experience considerable tension have also commented that they would not declare a breakdown in sponsorship because this would prevent their sponsor from sponsoring additional family members with whom the senior has a better relationship and could feasibly co-reside in the future (Koehn, 1999).

Conclusions: A Constellation of vulnerabilities

Family Class immigration policy, culture, and the migration experience combine to create vulnerabilities for sponsored seniors. Sponsored parents and grandparents have invested and continue to invest their time and resources in their children (their sponsors) and their grandchildren. In the face of declining birth rates, Canada is dependent on immigrants for its demographic stability. Yet the past and present contributions of older family members go unrecognized in Canada's immigration laws and social service policies. The ten years of complete dependency on their sponsors, and limited access to health care services, transportation and housing options to which sponsored older adults are subjected magnifies the intergenerational shift in roles and status within the family. The consequences can be profound. Many seniors are isolated from social supports; particularly when family members are financially stressed and /or communication between family members breaks down. This in turn can affect the seniors' mental health while at the same time reducing the likelihood that they will be able to access appropriate health care. In extreme circumstances, the potential for abuse or neglect and the likelihood of sponsorship breakdown is increased.

Seniors should not be portrayed as entirely lacking in agency, however. They attempt through their contributions to the household as child-minders, housekeepers, and income-earners to raise their self-esteem and position within the family. Yet none of these strategies is without a cost. While domestic responsibilities prevent seniors from interacting with their peers and familiarizing themselves with their new environment, the

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farm labour that Punjabi immigrants typically engage in has deleterious health consequences.

Cultural stigma combines with legal and policy obstacles to prevent seniors from declaring a breakdown in the sponsorship relationship. In some cases, this is necessary to escape an abusive environment; in others, the sponsor has experienced unforeseen circumstances, such as illness, that preclude their ongoing provision for the senior. Yet the road to obtaining assistance following a sponsorship break down is a difficult one and the outcome is inconsistent across different jurisdictions. The requirement that sponsors repay the 'debt' incurred as a result bespeaks a purely economic motivation for the admission of immigrants and incurs extreme hardship on families already stretched beyond their limit.

Affordable housing that is located in ethno linguistically-dense neighbourhoods with strong social supports can facilitate the transition of seniors, if desired, to independent living once the ten-year period of dependency is attained. The non-contributory retirement income of sponsored seniors is nonetheless extremely limited and continues to place them at risk for poor health, social isolation and so forth.

The interpretations of the hegemonic reality to which Family Class older immigrants are subjected will vary from one ethno cultural group to another, depending on socio-cultural mores, family structure, language spoken, education, familiarity with Western institutions (such as health care), existing infrastructural supports within both mainstream and ethnic communities and so on. Variation can also be seen across gender. The impact of geography (living in urban versus rural or remote environments) is also critical. Further research in each of these domains is essential.

These findings also suggest directions for policy change. Most importantly, the authors applaud Penny Priddy's call for an end to the discriminatory ten-year waiting period applied to some new Canadians (Government of Canada, 2006b); the period of time that elderly parents are dependent on their sponsors should be reduced to five years or less. Idealized expectations and assistance with adjustment should be facilitated through orientation sessions for both sponsors and their elderly parents prior to reunification. There is also a need for the development and support of programs that reduce the dependency of sponsored older adults on their children. Examples include flexible housing arrangements (e.g. re-zoning to facilitate in-law suites), the provision of free or reduced rate bus passes for newcomers, job orientation and placement of able-bodied seniors in work that is less harmful to their health than farming or affordable English as a Second Language classes tailored to seniors. A complimentary approach is to build the rights knowledge of both sponsors and those they sponsor.

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Endnotes

¹ Out of approximately 12,000 Family Class immigrants to Canada in 2006, 5,700 were seniors (i.e. 47.5%).

² Punjabis trace their origins to the productive agricultural state of Punjab in North West India (and Pakistan) and speak the Punjabi language. Linguistic continuity binds even second (plus) generation Punjabis to a Punjabi identity, even though they may have moved away from the state prior to moving to Canada. Pre-partition Punjab was considerably larger than it is today, hence many people from

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neighbouring states in India such as Haryana, identify themselves as Punjabis. Punjabis can be further subdivided by religion into Sikh, Hindu and Muslim communities. Representative of B.C.'s South Asian population overall, almost all of the participants in Koehn's (1993) study were Punjabi Sikhs.

³ The Immigration Act of 1910, amended in 1919, prohibited the settlement of immigrants whose race was considered "unsuitable to the Canadian climate". These laws were the first to allude to the families' undertaking to be responsible for newcomers who were "dumb, blind or otherwise physically defective" (An Act Respecting Immigration, 1910, ch. 38, s. 3, as cited in Côté et al., 2001).

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⁴ Of the 2.5 million newcomers to Canada between 1946 and 1966, 900,000 were sponsored (Côté et al., 2001).

⁵ Other lawsuits have been filed in the past for writs of mandamus to get government immigration department to address delays of this nature (e.g. Dragan v. Canada (Minister of Citizenship and Immigration) (T.D.)).

⁶ “Canada has an estimated 800,000-person backlog in our immigration system and the wait time for citizenship in urban centres is close to a year. Not only is this important for my riding of Richmond, but it

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is also very important to the rest of Canada.

The previous Liberal government designed a multitude of efficient and effective immigration policies, allocated \$700 million over five years to reduce the application inventory, signed a \$920 million Canada-Ontario immigration agreement, and invested over \$2.4 billion in immigration policies in 2005 alone. It was a government working for Canadians.

The Conservative government has pledged that it would improve Canada's immigration policy, but instead it has cut the \$700 million in funding to reduce the backlog, has failed to formally ratify the Canada-Ontario agreement and has failed to allocate funds for the other eight provinces' immigration strategies.”

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⁷ Old Age Security increases are tied to the Consumer Price Index.

⁸ R.S.C. 1985, c. C-6. Available at <http://www.canlii.org/ca/sta/c-6/>