

# Immigrant Integration in Federal Systems: A Comparative Perspective

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# OUTLINE

- Overview of Forum of Federations project
- General observations from project
- Approaches to integration services
- Implications for governance

# OVERVIEW OF PROJECT (1)

- Comparative study of the impact on federalism on immigrant integration policies in seven federal countries
- Three 'settler' federations: Canada, US, Australia
- Four others: Switzerland, Germany, Belgium, Spain
- Four are 'multination' states
- Leading scholar from each country preparing chapter according to 'template'
- Publication (co-edited with Christian Joppke) mid-2012 (McGill-Queen's University Press)

# OVERVIEW OF PROJECT (2)

- Immigrant integration conceived as two-way process that enables newcomers to become capable of participating in the economic, social and political/civic life of the receiving country
- Where subnational government are/have become more active in integration policies/programs, what factors explain this?
- Are there common patterns across the seven federations, or is variation the rule?

# OVERVIEW OF PROJECT (3)

- Immigrant integration: a continuum with key points/phases
- Selection and naturalization – set points
- Economic, social and civic/political integration – medium to longer-term processes, can continue beyond naturalization
- Emphasis on trends and major policy changes over past 10 years

# CONCEPTIONS OF FEDERALISM

- “The essence of federalism lies not in the constitutional or institutional structure but in the society itself.” William Livingston, *Federalism and Constitutional Change* (1956)
- “Federalism has to do with the need for people and polities to unite for common purposes yet remain separate to preserve their respective integrities.” Daniel Elazar, *Exploring Federalism* (1975)
- “[S]haring sovereignty and dividing powers between two or more levels of government, each of which enjoys a direct relationship with the people...” Thomas Hueglin and Alan Fenna, *Comparative Federalism* (2005)

# ADMISSION/SELECTION

- Carried out by federal government alone in all countries studied except Canada and Australia
- Canada:
  - Quebec obtained selection role in 1970s, expanded/confirmed in 1991 accord
  - Other provincial/territorial governments have become active under Provincial Nominee Program
- Some subnational units issue residence/work permits (Spain)

# SOCIAL AND CIVIC/POLITICAL INTEGRATION

- Both federal and subnational governments are often active in providing settlement and integration programs, especially language training
- Federal government often funds subnational governments and/or NGOs to deliver services
- Education system plays significant (not always explicit) role in integration of immigrant children
  - Some multination states have requirements for children of migrants to be schooled in subnational language (Quebec, Catalonia)

# NATURALIZATION

- Exclusive federal responsibility in all countries studies except Switzerland
- Switzerland:
  - Federal, canton and commune governments all involved in process
  - Rules (e.g. residence requirement) vary considerably
  - Approval/rejection most often occurs at commune level, often through vote by local population
- Some subnational governments (e.g. Germany) play role in preparing candidates for naturalization
- No serious calls for devolution to subnational governments, even in most decentralized federations

# Decentralization taking place in some but not all of the seven countries

- Canada (selection, settlement services), Spain (part of broader federalization process), Belgium
- Less pronounced in US and Australia
  - US: Federal government active through significant funding to states for English language learning, other services
  - Some US states (e.g. Arizona) and municipalities passing measures to stem illegal migration – “attrition by enforcement”
- Shifts in responsibility not effected through constitutional change
  - Canada: agreements between federal and individual provincial governments – ‘spokes on a wheel’
  - Some efforts to capture respective roles in quasi-constitutional measures – e.g. Catalonia’s 2006 Statute of Autonomy

# Subnational governments have greater role in multination states

- Decentralization has led to some asymmetry in policies and programs:
  - Canada – Settlement services delivered by 3 of 10 provincial governments, some variation among these (and not just between Quebec and the others)
  - Spain – Catalonia most active autonomous community, immigrant integration closely linked to national affirmation
  - Belgium – Integration policies in Flanders more ‘directive’ than in Wallonia, Brussels
- Switzerland already quite decentralized; recent policy changes/attempts often driven by direct democracy

# INTEGRATION SERVICES: CANADA (1)

- Main elements of Citizenship and Immigration Canada (CIC) programming:
  - Immigrant reception and orientation, employment assistance, counselling
  - Language courses in English or French to adult immigrants for up to three years from time they begin training
  - Host Program: matches immigrants with Canadians to develop language skills, learn about Canadian society, build networks
- CIC 'modernized' approach (2008): outcomes focus
- 'Settlement services' delivered (except in Quebec) by vast array of 'service provider' nongovernmental organizations – non-profit and profit

# INTEGRATION SERVICES: CANADA (2)

- Concerned about province's declining population growth, in 1971 Quebec signed first agreement with federal government – modest role in selection
- 1978 agreement: *de facto* selection by Quebec
- 1991 (ongoing) agreement:
  - Quebec government obtained power to select all economic immigrants and set level of immigration
  - Quebec also became responsible for all reception and integration services
  - Annual grant from federal government – increases according to 'escalation factor'

# INTEGRATION SERVICES: CANADA (3)

- 1998: Settlement services devolved to Man and BC
  - Annual transfers (level determined by agreement)
  - Each provincial government must report to Ottawa annually
  - Reports not made public
  - BC: outcome measures in renewed (2010) agreement
- Federal administration continues in 7 other provinces
- 2005: Canada-Ontario Immigrant Agreement (COIA):
  - Extensive processes for collaboration
  - Canada-Ontario-Toronto Memorandum of Understanding gave City of Toronto seat at the table (unique in Canada)

# INTEGRATION SERVICES: UNITED STATES (1)

- US federal government has no specific legislation or policy framework on immigrant integration
- Certain integration objectives reflected (implicitly) in certain federal programs, notably targeting immigrants and other English language learner (ELL) populations
  - Most grants to state governments, with school authorities as sub-grantees

# INTEGRATION SERVICES: UNITED STATES (2)

- *No Child Left Behind Act (2001)*: Federal education department provides grants to state governments for immigrants and other English language learners
  - State governments distribute funds to local education agencies
  - Budget for 2010: \$750 million
- States must develop Annual Measurable Achievement Objectives: set targets and goals to ensure limited English proficient students make progress towards proficiency
- States must report to federal education department
  - First report (June 2008) included data from all 50 states
  - Noted that data collection “often was difficult for states”

# INTEGRATION SERVICES: AUSTRALIA

- Large share of integration services are managed by state governments, with significant federal financial assistance
  - 2008-09: A\$276 million for settlement, citizenship and social cohesion programs (plus A\$191 million for program management and compliance)
- Adult Migrant English Program delivered on arrival, followed by employment-related English training
  - Reaches around 60% of eligible migrants
- NGOs have major delivery role through competitive grants

# GERMANY: INTEGRATION COURSE

- Introduced after adoption of new (2005) immigration law
- *Länder* would not agree to fund, so implemented under federal government responsibility
- Participants have at least 600 hours of language training and a 30-hour integration course (legal system, culture, history of Germany; values of democratic system)
- From 2005 to mid-2009, about one-quarter of those entitled to follow courses were obliged to participate
  - Sanctions for non-participation, but quite a few exemptions

# INTEGRATION SERVICES: SPAIN

- Strategic Plan on Citizenship and Integration (PECI)
  - ACs to give concrete content, within framework of cooperation (including between ACs and local governments)
  - Fund established by 2005 budget: was €197M in 2009; reduced to €141 M in 2010
- Catalonia: 2009 immigrant reception bill
  - Aims to provide immigrants with capabilities to be autonomous within Catalan society
  - No compulsory integration course, but some cities developing own measures – e.g. Mataró ‘reception circuit’
  - Attempt to make Catalan sole language for reception purposes challenged in court by Spanish Ombudsman

# OBSERVATIONS ABOUT INTEGRATION PROGRAMS/SERVICES

- Integration programming is increasingly:
  - horizontal (within governments)
  - cross-sectoral
  - intergovernmental – especially, but not only, in federations
- Some countries have national policy frameworks, while others mainly rely on funding instruments
  - Support for language learning is central
- Growing interest in outcome measurement
- Reporting: uneven, still often spending-focused
- Role of NGOs as delivery agents often important
  - Is their capacity matching new requirements?

# IMPLICATIONS FOR GOVERNANCE (1)

- Accountability:
  - To funder government? Public? Both?
  - Moving beyond reporting largely on outputs (spending) to outcomes
  - Making reporting meaningful – including qualitative aspects, case studies, evaluation results
- Learning from others' experiences, experiments, etc.
  - Is there enough effort in this regard? What are the fora?
  - Can subnational/local experimentation influence national policies and programs?

# IMPLICATIONS FOR GOVERNANCE (2)

- Should the policy variation emerging within some of the countries cause concern - e.g. on equity grounds - or is this a 'normal' consequence of subnational units using their jurisdiction to respond to local conditions?
- What particular issues arise when claims for enhanced subnational role are closely tied to national/minority community affirmation?