Chapter 4
A gender-blind approach in Canadian refugee processes:

Mexican female claimants in the new refugee narrative

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Introduction

Women refugees have long faced barriers to the refugee process. However, in the 1990s a number of countries adopted a formal set of gender guidelines to assist them in taking gender issues into account in refugee adjudications. Consequently, many women successfully obtained refugee status by claiming gender-based persecution. Additionally, gender-related abuses were incorporated into the larger refugee narrative emphasising political and humanitarian concerns. Focusing on the recent influx of Mexican refugees to Canada, this chapter argues that today's refugee narrative has moved away from a gender-inclusive approach, and reverted to the traditional gender-blind perspective. Using a framing analysis of more than 100 articles in the Canadian media, this chapter traces this shift and the conditions that influenced it, as well as the implications for refugee women.

Women have long been overrepresented in refugee flows, but underrepresented in refugee claims in the industrialised countries (Foote 1996; Boyd 1999). This pattern has numerous explanations. One stresses the tendency of women to remain near their countries of origin (in neighbouring countries); a second emphasises the delayed migration of women, who follow their spouses or male relatives through family migration once the former have made refugee claims abroad (Mascini & Van Bochove 2009). This chapter moves beyond the individual level by focusing on how the migration of female refugees may be influenced by *institutional* actors, particularly the media, within countries of settlement.

During the 1990s, select states, including Canada, addressed the gendered nature of the refugee process, specifically through the development of formal gender guidelines to be used in the refugee claimant adjudication process. At the urging of the United Nations, Canada was the first country to officially adopt these guidelines in 1993. Success in

addressing gendered differences is manifest in Canadian refugee data (Mawani 1993). In 1986, roughly 7,800 women refugees obtained permanent resident status, while in 2010 this number increased to nearly 12,100.[1] Numerous Immigration and Refugee Board (irb) cases in Canada cite gender-related persecution as the main reason why claimants are allowed to remain. The strategy has been so successful that refugee scholars have described this pattern of refugee adjudication as following a 'good women, bad men' script. Where gender-related claims made by women are seen as valid reasons for asylum claimants, the claims of male refugees are often associated with economic motivations and therefore viewed as invalid or bogus (Boyd 1999; Mascini & Van Bochove 2009). Mexican female claimants have been especially successful in their use of the Canadian Gender Guidelines in gender-related persecution claims.[2] However, notwithstanding this improvement in women's status, the number of male refugee claimants, as well as the number of men granted permanent residence to Canada as refugees, has been higher than corresponding numbers for women every year for the past 25 years.[3] It seems that women's success is late in coming, and limited in its scope. The gains were also relatively short lived, as recent economic and political developments have re-scripted the refugee narrative from one that considers the needs and vulnerabilities of women, to a largely genderless story.[4]

The discussion in this chapter can be situated within the larger literature that focuses on political and economic factors that influence refugee policies and narratives, especially foreign policy interests and domestic special interest groups (Mitchell 1989; Zolberg 1999; Spijkerboer 2000; Cornelius & Rosenblum 2005) (for other examples, see the chapters in this volume by Walaardt, Schacher, and Oxford). In this chapter, we focus on the gendered aspects of the refugee narrative, examining the conditions under which a focus on gender issues recedes into the background in refugee processes. We argue that the traditional refugee story in the Canadian media has been re-scripted by new geopolitics between 'democratic' countries in the post-Cold War era, the recent large-scale influx of Mexican refugee claimants to Canada, as well as the costs of this influx to Canadian taxpayers and the refugee system. The narrative has shifted from providing protection to refugees from failed states (using a gender-inclusive approach), to managing and reducing refugees from democratic countries (using a gender-neutral approach). This shift in the narrative has the strong potential of limiting the ability of refugee women to access the refugee process and to have successful resolutions of their claims. This chapter begins by examining how and why the refugee narrative has changed. It then dis-

cusses the implications of these changes for female refugee claimants, particularly Mexican women.[5]

Literature review: The historical development of the gendered refugee narrative

The traditional refugee narrative emerged in the 1950s within the historical and political context of the post-Second World War period. A key element of this narrative was the creation of a formal international refugee definition, put forward in Article 1 of the 1951 United Nations Convention Relating to the Status of Refugees. That convention states that a refugee is a person who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country'. This definition of a refugee draws attention to violations committed directly by the state against individuals (Connors 1997). Critics have observed that this focus on the actions of the state and the violation of civil and political rights places a disproportionate emphasis on public, rather than private, forms of persecution.

The lack of attention to persecution in private settings disproportionately impacts women, since gender roles and stratification constrain women in many societies to the private sphere, while men are the main actors in the public arena. Gender scholars and advocates note that the un definition of refugee privileges the recognition of refugee status for men relative to women, suggesting that forms of persecution experienced by women in more private settings are less likely to be recognised as grounds for persecution. Such forms include rape, dowry-related burnings, forced marriages, female genital mutilation and domestic violence (Foote 1996; Boyd 1999). In some situations, the state could be the agent denying basic human rights, or it may fail to offer protection to certain groups, even though such protection is within its capacity (Connors 1997; Boyd 1999).

Critics also note with some concern the procedures whereby persecution is established. Assessing accounts of harmful acts involves understanding the conditions within the country or state from which the person has fled, as well as understanding the consequences should the person return. Yet country descriptions usually emphasise the public sphere, not the private sphere. Country-specific information may be genderless, rather than illuminating gender inequalities. In either

case, women might find it difficult to argue that their victimisation is based on one or more grounds found in the refugee definition. Rather than being viewed as violations of human rights, their experiences may be perceived by the courts, the public and the media, as private acts inflicted by other individuals (Connors 1997; unhcr 1997; Boyd 1999). Furthermore, Inlender (2009) argues that the likelihood of success with gender claims is complicated by the difficulty of proving that acts traditionally seen as private matters (within the family sphere) are in fact government sanctioned, whether implicitly or tacitly.

Over time, these issues have led to three modifications in the refugee narrative. First, violence against women (particularly sexual violence) emerged as a key concern (unhcr 1995). Second, the discussion broadened to include forms of gender-based persecution, such as female genital mutilation and other harmful practices, as well as domestic violence where no community or legal state protection is provided (unhcr 1997). Third, governments developed tools to increase adjudicators' awareness of how persecution is mediated by gender. One such tool is the Gender Guidelines, implemented in Canada in 1993. Similar procedures were adopted later by the usa and Australia. The Canadian guidelines present ways for adjudicators to be gender sensitive when considering persecution grounds and special efforts to be made in the refugee determination process, such as having female interviewers (Foote 1996). In sum, the emphasis on gender-related abuses, along with the promise of state protection by refugee adjudicators and governments in the 1990s, resulted in the creation of a more gender-inclusive refugee narrative (Mascini & Van Bochove 2009).

The demise of the (gendered) refugee narrative

The emphasis on providing protection to female refugees which culminated in the development of the Gender Guidelines in the 1990s, is currently receding into the background – even in the very country that launched the guidelines onto the global stage. Challenges to a relatively friendly female refugee narrative existed earlier through concerns about the general costs of refugees, and the legitimacy of female refugee claimants.[6] Recently these critiques have been made on a more regular basis, leading to a noticeable shift in foci, assumptions and values promoted in the refugee narrative. Support can in fact be found for the claim that the move from the Cold War to the neo-liberal period, as well as the recent increase in the number of refugees (and in costs) to Canada, has shifted the refugee narrative. Instead of a focus on providing protection

to refugees from failed states using a gender-inclusive approach (that takes gender-based persecution into account), the emphasis is increasingly on managing and reducing refugees from partner democratic countries, using a gender-blind approach. However, a gender-blind approach cannot be equated with gender neutrality in outcomes. Gender stratification and hierarchies of power in countries of origin and countries of settlement can produce immigration practices and regulations that not are gender-specific in their terms of reference, but which often have gender-specific impacts (Boyd 1989, 1995; Boyd & Pikkov 2008).

Case study: Mexican migration to Canada

Mexican refugees have been coming to Canada for decades. However, there has been a significant increase in the number of refugee claimants from this country. In fact, there has been a fivefold increase in the past ten years. In December 2001, 3,600 refugee claimants from Mexico represented 3.2% of all claimants present in Canada. By December 2005, more than 8,000 claimants were from Mexico, with the number rising to nearly 16,000 in 2010. As a result, Mexican claimants constituted 8% and 16% of the entire refugee claimant population in 2005 and 2010, respectively.[7] Concomitantly, there was a noticeable increase in female Mexican claimants. In 2000, they represented just under 4% of the total female refugee claimant population in Canada, but in 2007 the number had risen to more than 17%.[8] While several factors could explain why women are fleeing Mexico, the level of gender-related violence in the country is an important push factor. More than 130,000 cases of domestic violence are reported in Mexico each year.[9] In terms of state protection, roughly half of the female respondents who identified themselves as victims of violence in a 2003 Mexican national study did not seek assistance, while nearly 80% of those who did seek assistance relied primarily on family and friends rather than the police.[10]

Yet Mexico continues to be described as a safe and democratic state by the Canadian media and government. In fact, the government recently took a powerful symbolic step in this regard by requiring visas from Mexicans entering Canada in a bid to separate the 'few' legitimate refugee claimants from those abusing the refugee process.[11] Consequently, the gender-related concerns of Mexican women appear to have receded into the background in the current refugee narrative. But Mexican refugees have not disappeared, and Mexican women refugee claimants currently represent the largest group of female claimants in Canada.[12] How can we explain this altered narrative, given the plight of women refugee claimants?

Materials and methods

We answer this question using reports that appeared in major Canadian newspapers with nationwide or province-wide circulation, such as the *National Post*, the *Globe and Mail*, the *Toronto Star*, the *Ottawa Citizen* and the *Montreal Gazette*, as well as local newspapers, such as the *Edmonton Journal* and the *Windsor Star*. We also examined blogs on immigration issues. The objective of this selection was twofold. The first aim was to cover a broad spectrum of newspapers discussing refugee issues at both the national and local levels, thus providing a comprehensive picture of the Canadian press. The second aim was to acknowledge the increasing importance of the electronic media as a disseminator of news and culture.

From these newspapers and blogs, we selected articles and editorials that discussed topics related to gender and Mexican refugees, the Canadian refugee system, domestic violence, bogus (or economic) refugees, democratic states and safe states between 1990 and 2009. These general topics were developed into specific codes, and analysed in terms of the narratives and portrayals of Mexican refugee claimants to Canada, with a focus on female claimants.

Framing theory guided the analysis. Using media reports, we identified frames (or narratives) within media articles to provide an organising structure for understanding key issues, phenomena and groups (Snow et al. 1986; Olausson 2009; Seijio 2009). As Pan and Kosicki (1993) point out, identifying these media frames enables scholars to tease out the analytical and conceptual schemata provided to the public through which events, phenomena and people are given meaning (additional discussion of frame analysis appears in the chapter by Walaardt in this volume). These dominant frames are often taken for granted. Thus, to better understand the particular meanings, assumptions and values promoted by these seemingly neutral frames, we must deconstruct and critique them. Further, since the frames shape what is presented as common sense, they are intimately related to issues of power. An analysis of frames in the media therefore also considers the dominant economic, political and cultural forces at play.

Critical discourse analysis (cda) provides a complementary technique in this analysis. It is used to identify implicit values and assumptions, taking a constructionist approach to discourses and narratives in the media and connecting these to dominant actors and forces in society (McGrath 2009).[13] cda thus assists in uncovering the interests, values and assumptions of refugee narratives.

The objective of the research presented in this chapter is threefold. It first identifies the dominant frames that are used in the media and shape the public's views and understandings of Mexican refugee claimants. It then notes the political and economic forces behind these particular frames and examines the conditions under which shifts in refugee frames (or narratives) take place.

Findings

The results of our analysis indicate a move away from a gender-inclusive approach that seeks to provide protection to refugees, to a gender-neutral approach that emphasises managing refugees from democratic countries. The portrayal of Mexican women refugees in the media, or rather the lack thereof, is an integral component of this shift. For instance, among more than 100 articles and editorials discussing the large influx of Mexican refugee claimants to Canada, roughly 10% refer to women or gender in the title. Mexican claimants are consistently described as a homogeneous group, as the following headlines demonstrate: 'Flood of Mexican refugees shows poor border controls'[14] and '9,000 ordinary people flee Mexican drug war'.[15] In these examples, the script takes on a gender-blind or gender-neutral tone that neglects consideration of the gender-related issues of female claimants.

In terms of content, only a minority of the articles reporting on Mexican refugees meaningfully focus on the issues faced by Mexican women, their refugee experiences or the types of claims they advance. The mismatch between the genderless refugee narratives and reality is underscored by refugee experts' descriptions of the most common types of claims: 'Over the past six years, most Mexican claims have involved threats or brutal physical attacks related to narco-traffickers, violent domestic abuse and homophobia'[16] and 'Women who flee domestic violence make up many of the claims. Amnesty International, the un and Human Rights Watch all document the lack of protection for such women'.[17]

Thus, while gender issues remain prevalent in actual refugee claims, they have receded into the background in the media's refugee narratives. How did this shift in narrative occur? We posit three main conditions: a shift in the geopolitical relationships influencing refugee processes, a significant increase in refugee claimants from certain countries of origin, and economic decline in the countries of settlement.

Conditions underlying the shift in the refugee narrative

New geopolitical relationships in refugee processes

The attitudes of states towards refugee admissions have shifted over the past several decades, leading to a significant change in the dominant refugee narrative articulated in the media. Political interests during the Cold War played a key role in shaping refugee admissions and helping to write the larger refugee narrative. Specifically, refugees from communist countries were welcomed in the West in a bid to highlight their desire to live in a democratic, Western country rather than a communist one (Zucker & Zucker 1987; Zolberg 1999). As a bonus, the political interests of the countries of settlement and the humanitarian needs of these refugees tended to coincide. Consequently, the dominant refugee narrative emphasised during the Cold War period was one of providing protection to political and humanitarian refugees from failed (or backward) states.

Now, two decades after the end of the Cold War, geopolitical relationships have changed. The world is no longer divided into clear ideological camps, a situation in which governments stood to benefit from lenient refugee policies. Consequently, there is less willingness to become heavily involved in refugee issues. The broad emphasis has shifted from conflicts based on politico-ideological regimes, to allegiances based on economic ties and political-economic regimes.[18] More specifically, states have moved away from refugee protection towards refugee management and reduction. These changes are reflected in the refugee narrative. Media no longer discuss politico-ideological differences between countries of origin and settlement, but talk of cultivating ties between economically like-minded countries. For instance, several articles discussing Mexican refugees' attempts to cross the border emphasise Mexico's status as Canada's 'trading partner'. Labelling a trading partner as an unstable state that cannot protect its citizens is an economically risky move. The following quotations connect Canada's reluctance to welcome Mexican refugees to the political and economic ties between the party countries of the North American Free Trade Agreement (nafta):

> Canada's Conservative government, however, has been treading softly in their dealings with Mexico about these cases – afraid, no doubt, of the political and economic fall-out that may occur by alienating a nafta partner.[19]

> Many view Mexico as a tourist destination, a democratic country that is also our partner in trade with nafta, says Gozlan [immigration lawyer].[20]

These strong economic interests work against providing refugee protection, and they work towards refugee management from countries with whom Canada has trading ties.

As suggested elsewhere (Olausson 2009), the polity and the media are intimately connected. Thus, media frames usually reflect dominant political interests. In this case, changing geopolitical interests are shifting the refugee narrative away from protection and humanitarianism and toward refugee reduction. This cautious or reluctant approach towards refugees is even more salient when the refugee claimants are from countries deemed 'democratic'. Under such conditions, the Canadian government and the media rely on the assumption that since Mexico is a democratic country, it protects its citizens. But immigration lawyers and refugee advocates issue the following warnings:

> The principal reasoning behind these kinds of rejections is because the irb says the claimant has to show state protection is not available to the claimant. The onus is higher on them to show that protection is not available the more democratic a country is, says Michael Tilleard, past chair of the Canadian Bar Association's immigration and citizenship section for northern Alberta. Often the irb decisions will say Mexico is a democracy, or even a fledgling democracy, so you should have recourse to state protection if you're living in a democratic state.[21]

> Dench [Executive Director of the Canadian Council for Refugees] also warns about Kenney's position that claimants who come from so-called 'democratic' countries can't be legitimate refugees.[22]

Newspapers often describe Mexico as a democratic country and contrast it with failed states, such as Somalia, as the following quotation illustrates: 'Compare Mexico's low numbers with countries like Somalia, which last year had 74 Calgary applications and an acceptance rate of 100 per cent'.[23] Through such juxtapositions, the papers imply that refugee claimants from the former are necessarily false claimants. More specifically, these 'bogus refugees' are described as economic refugees trying to exploit Canada's labour market illegally or escape from their domestic drug violence problems, rather than remain within their own legitimate and democratic country:

> In another 'big racket,' Argentines are travelling to the U.S. because they don't need a visa. They then present themselves to Canada as refugees, live in hotels and dine on welfare money. After they finish their two- or three-month Canadian holiday, he says, many simply

> return home. A percentage of Mexican refugee claimants reportedly also take similar vacations here.[24]

Although there is a significant level of crime and drug violence in Mexico, the media frames democratic countries such as Mexico as safe countries that protect their citizens and do not produce refugee claimants. This democratic country narrative constructs Mexican refugees as unworthy, limiting their ability to be portrayed as legitimate refugees. This public narrative is also reflected in the longstanding 'deserving and undeserving refugee' discourse within the academic literature, the former being associated with the minority of (Mexican in this case) asylum seekers granted Convention status and the latter reserved for the majority who do not obtain this status (Sales 2002; Mascini & Van Bochove 2009).

The influence of the 'deserving versus undeserving refugee' narrative (compare Schacher and Walaardt in this volume) can be seen in the views among the Canadian public on Mexican refugees as expressed in editorials and letters to newspapers. While Mexico's poor economic conditions and drug violence conjure up some sympathy, most respondents comment that these are not valid criteria for refugee claimants and that Canada cannot be a haven for all people in need:

> A lot of Windsorites have voiced their opinion on the Mexican refugee situation, both negative and positive responses, but the bottom line doesn't change. I am all for the best for all human beings, but we cannot save everyone.[25]

> I sympathize for their economic plight but their problems are not Canada's to solve. Canada has its own poverty issues to deal with and much of it is generated by an out of control immigration system. The economic poverty of Mexicans is Mexico's responsibility.[26]

The emphasis on the democratic – and therefore safe – Mexican state is especially meaningful for women, as it contains the potential to remove gender considerations from the claimant process. Assuming that a democratic country provides protection to its citizens overlooks the possibility that such a state can be patriarchal and neglect to provide equal protection to all residents. In the case of women in Mexico, a number of organisations document a persistently high rate of domestic violence against women with little or no police protection provided.[27] According to the 2003 National Survey on Household Relationship Dynamics, roughly 10% of Mexican women report being physically

abused, and nearly 37% reported emotional abuse. These numbers are likely even higher, since they only represent those women who are willing to report such violence (Frias Martinez 2009). Numerous reports document instances where Mexican women have gone to the authorities and reported domestic violence and received no protection.[28] In fact, the Mexican researcher Teresa Doring found that 80% of women killed by husbands or boyfriends had asked police for help from one to five years beforehand.[29]

According to the United Nations' definition, a convention refugee must be a person with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group. Furthermore, that person must demonstrate that his government is unable, or unwilling, to provide protection from this persecution.[30] Writers suggest that Mexican women experiencing domestic violence meet this definition given that (1) they belong to a particular social group (i.e., women) being persecuted (i.e., abused) as a result of their membership in this group, (2) this persecution is pervasive, and (3) their government appears unable, or unwilling, to provide protection (from domestic violence). That last is evidenced by the lack of police protection and failure to prosecute perpetrators of domestic violence in Mexico (Teran 1999).[31]

Nevertheless, the Canadian media's discussion of Mexican refugees utilises a gender-blind script that emphasises drug violence and human smuggling as the main factors pushing Mexicans to seek refuge in other countries, glossing over the experiences of domestic violence that drive many women to seek asylum. Consider, for example, the following genderless narratives:

> Everything is related to the climb of violence in Mexico. Some of them have received direct threats for different reasons – because they were caught in the middle of drug cartels when they are trying to control an area, or they saw a crime or corruption, you name it [Martinez, Toronto's fcj Refugee Centre].[32]

> Hundreds of Mexican refugee claimants are entering Canada every month due to spiralling drug cartel violence and the presence of scam artists promising refuge in Canada, experts say.[33]

In articles such as these, Mexican refugees are discussed as a monolithic, homogenous group.

These media accounts indicate that a dividing line is being drawn between democratic countries that do not (or cannot) produce refugees

on the one hand and conflict-ridden countries without functional government, such as Somalia, on the other. However, this framing of countries of origin relies on a traditional understanding of refugees based on public persecution; that is, fleeing war or conflict or a lack of political governance or state apparatus. It ignores the advances in the refugee discourse of the 1990s, underscoring persecution in the private realm, even with a functional government and general *public* safety. The framing overlooks the fact that a state can be both patriarchal and democratic – in other words, providing protection to its citizens generally – but not meet the specific needs of women. The earlier narrative, which focused on providing asylum for ideological purposes using a gender-inclusive approach, has thus shifted to one that emphasises maintaining good economic and political ties with governments deemed 'democratic' using a gender-blind approach.

Dramatic increase in refugee claimants

Another key condition influencing today's refugee narrative is the dramatic increase in refugee claimants to Canada from specific countries of origin, such as the previously noted fivefold increase in the number of Mexican refugee claimants in the past decade.[34] The perceived intensity of this influx is heightened by the media's use of metaphors related to contagion and flooding of these allegedly 'bogus' refugees (the emphasis is ours in the following):

> The nafta partner has been the top source country for refugee claims in Canada since 2005. It was also the top source country for refugee claims in Alberta for 2007 and 2008, *dwarfing* the number of claims from other top source countries such as Colombia, Somalia, and Zimbabwe.[35]

> A sudden flood of Mexican refugee claimants *pouring* into Windsor has left local officials scrambling and raised fears about how many more may be on their way.[36]

> Mexicans *pour* into Canada from us: Agencies brace for thousands more at border.[37]

> Mexicans are *flooding* into Canada and claiming refugee status. Why is it happening, and what can we do to stop it?[38]

This rhetorical technique has also been used in describing other refugee inflows, such as the sudden increase of Tamil asylum seekers to the Netherlands in the 1980s (Van Dijk 1988). The result is often a portrayal of asylum seekers as a threat to the integrity of Canadian system. Moreover, these images create a distance between the influx of new asylum seekers (as a separate Other) and Canadian society.

Economic decline in the country of settlement

A final key condition influencing the development of the current refugee narrative is economic decline in the country of settlement. The economic costs (rather than political benefits) of accepting refugees are often centre stage in public discussions. This economic focus is prevalent in media discussions at both the national and local levels. The former highlights the overall costs to the Canadian taxpayer. For instance, the *National Post* estimated the cost of maintaining one refugee as approximately $10,000 to $12,000 per year on taxpayers.[39] While much analysis has focused on the development of refugee narratives at the macro level (i.e., within international institutions, national governments and national newspapers), local actors and institutions also shape portrayals of refugees amongst the Canadian public. As the following texts illustrate, municipal newspapers and news media emphasise the costs of Mexican refugees in local services and resources, making the issue more personal and threatening to local residents:

> Municipal agencies dealing with the sudden influx of mainly Mexican refugee applicants are renting out hotel rooms and bracing for predicted thousands more to come … We are not able to deal with this potential crisis locally.[40]

> Francis [the mayor of Windsor] has written the federal and provincial governments asking for funding to help cover the cost of keeping the refugees housed while they wait for their refugee claims to be heard. Last week, he said it had so far cost the city $230,000, about 20 per cent of the annual budget for shelters. Windsor's unemployment rate is currently pushing 10 per cent, making the influx of jobless refugees the last thing its economy needed.[41]

This emphasis on the unmanageable costs created by the influx of Mexican refugees reinforces the legitimacy of the narrative's call to manage the growing number of refugees.[42] In the following, Mexican

female claimants are specifically discussed, but in reference to the cost of their migration and their children:

> Last week, he said it had so far put up 50 families, some with up to nine children, at four city hotels. The bills, including those for meals, are being sent to the city's social services department.[43]

> To complicate things further, one of the 200 people in Windsor recently gave birth to a child, and another woman has one on the way. Both children will have claims to Canadian citizenship, and strengthen the residency case of the mothers involved.[44]

In sum, the new refugee narrative emphasises *refugee costs rather than claims*. Although both men and women are targeted, women refugee claimants are uniquely disadvantaged; their experiences and claims risk being relegated to the background, while their costs as mothers and women are brought to the foreground. As a result, they are particularly marginalised in the refugee narrative that appears in the media.

Discussion

The Canadian media refugee script through 2009 focused on refugee management and reduction, rather than refugee protection and welcome. In today's geopolitical situation, the economic costs of accepting (what seems to be an increasing number of) Mexican refugees have taken centre stage, pushing aside any extensive discussion of political benefits. Although the influence of international relations on asylum processes is not new (Spijkerboer 2000), this latest shift in the refugee agenda towards economics is relatively new. The shift in the refugee narrative has had a significant impact on the public legitimacy of all Mexican refugees, but its effects on women have been particularly damaging. Very few of the articles we looked at mentioned the refugee intentions or experiences of Mexican women. Instead, the dominant script portrays Mexican refugees as one homogeneous group, while downplaying the legitimacy of claimants from 'democratic' countries.

This framing of Mexican refugees, however, does not consider that states deemed democratic and safe for their general citizenry are not necessarily assessed in terms of the safety they provide to specific groups, such as women in the private sphere (Markard 2007). As Oxford notes in her chapter in this volume, the state can fail to protect its citizens in a multiplicity of ways. Second, the current gender-blind

script may result in disproportionately negative legal and policy implications for Mexican women. For instance, the Federal Court of Canada recently overturned several Immigration and Refugee Board decisions involving domestic violence refugee claims by Mexican women.[45] One could therefore argue that the narrow and homogeneous portrayal of Mexican refugees in the media may be influencing refugee adjudicators' understanding of female Mexican refugee experiences. More broadly, there is a danger that today's gender-blind refugee script has (or will) become the standard among the public and officials working in the refugee system, with little regard for the diversity (and legitimacy) of claims within this large refugee group.

The Canadian government recently implemented a visa requirement for entry of Mexicans. The justification for this policy shift expressed by government officials in the media relies heavily on a new refugee narrative, which frames Mexico as a democratic country that can protect its citizens and does not produce refugees. The Canadian Minister of Citizenship and Immigration has made a number of media announcements like the following:

> Instead, he [Citizenship and Immigration Minister Jason Kenney] says he has been told of widespread abuse of the system by relatively well-off Mexicans who take one-way flights to Canada and stay in the country until they are kicked out. He said unscrupulous immigration consultants in Mexico and the u.s. are coaching people on how to make a refugee claim in Canada. 'I'm simply saying that as a matter of policy we need to do a better job of expediting the processing of false claims, as most other democratic countries do,' Kenney said in an interview Friday.
>
> In a speech to the Canadian Council for Refugees in Toronto in November, Mr. Kenney raised the possibility of a two-tier system where applicants from what he called 'liberal democracies' like Mexico, Britain and the Czech Republic are treated differently than those from conflict zones or totalitarian societies … Mr. Kenney also said that a 90 per cent rejection rate of claims made by Mexicans at Canada's Immigration and Refugee Board 'would suggest wide scale and almost systematic abuse.'[46]

The implications of this policy decision on Mexican claimants' access to the refuge process are clear: there were virtually no asylum claims from Mexican nationals in the first two weeks after the imposition of the travel visas.[47] Further, five features of the application for a

visitor's visa suggest that the class and gender impacts of this process may be the greatest for women seeking to quickly remove themselves from a state that cannot or will not protect them. The requirements include (1) obtaining a visa, which requires access to funds in order to pay the application fee of Can. $75 for a sole applicant seeking a single entry and $400 for a family; (2) an interview may be required, held at the Mexico City visa office; (3) a valid travel document (such as a passport) is required for the applicant and for each family member on the application; (4) two photographs of the applicant and of each accompanying family member must be included in the application, the photos must be less than six months old and they must conform to specifications regarding head poses and size; and finally (5) despite a processing rate of 90% within two days from the Canadian visa office in Mexico City, documents must be submitted and returned via mail unless the applicant can appear in person. Use of mail or courier services lengthens the time needed to obtain a visa and raises concerns that valuable documents may be stolen in transit.[48] The gender- and class-related difficulties produced by these visa procedures are readily evident when one considers the economic situation of most Mexican women compared to men (women earned roughly 22% less than men in the 1990s) (Brown, Pagan & Rodriguez-Oreggia 1999), and the fact that the need to flee quickly will seldom allow obtainment of passports, photos and pre-issued visas. Indeed, the requirement for documents risks creating a paradox: documents are needed to enter Canada but if documents are available, refugee claimant adjudicators could interpret a woman's claim as premeditated. While premeditated flight by itself is not synonymous with a fraudulent use of the claimant process, the possibility remains that having documents would be interpreted as such.

Conclusion

This chapter outlined a significant shift in the refugee narrative articulated in the Canadian media, from one focused on providing protection to refugees from failed states (using a gender-inclusive approach), to the management and reduction of refugees from democratic countries (using a gender-neutral approach). We underlined three main conditions that have contributed to this shift narrative: changing geopolitical relationships influencing refugee processes, a significant increase in numbers of refugee claimants from certain countries of origin (in this case, Mexico), and economic slowdown in the countries of settlement (in this case, Canada). This shift is prevalent not only in North

America. Similar trends have been found by scholars studying changes in the European refugee regime, suggesting that broad shifts are taking place in the refugee narrative in a number of regions (Keely and Stanton 1994).

As a result of these shifts, the benefits that governments stand to gain from granting asylum are now less clear than in the Cold-War era. Specifically, economic (rather than political) concerns have come to dominate the refugee agenda. This shift has conceptual and practical consequences. In terms of the former, the focus on refugee management and reduction from democratic countries – rather than the provision of protection to refugees – provokes a default negative attitude towards refugee claimants. Moreover, the gender-neutral approach overlooks the possibility that a democratic country can also be patriarchal, and therefore neglect to provide equal protection to all of its citizens. This chapter acknowledges that some Mexican claimants applying for refugee status may not have valid claims. Nonetheless, the picture painted in the media overlooks the heterogeneity of those seeking refuge. Given that Mexican women continue to face high levels of domestic abuse and other gender-related exploitation, this gender-blind approach to the refugee system reverses past gains and signals a significant weakening of Canada's leadership in promoting women's rights in refugee processes.

Notes

1 *Citizenship and Immigration Canada*, 'Facts and figures 2010'.

2 *Immigration and Refugee Board of Canada*. rpd ma-07954, 3 October 2002; crdd va0-01624 et al., Forsey, Clague, 8 March 2001; crdd A95-01027, A95-01028, Blackburn, Gaboury (6 March 1997).

3 *Citizenship and Immigration Canada*, 'Facts and figures 2010'.

4 For the purposes of this chapter, the refugee narrative refers to media discussions of the following: refugees, refugee claims, the impact of refugees on countries of origin and countries of settlement, as well as refugee policies.

5 Although the authors recognise the intersections of gender, class and ethnicity in media depictions of refugees, we focus on the first in order to highlight the shift in the *gendered* aspect of the refugee narrative in particular.

6 Barbara Amiel, 'The female refugee: A fraudulent concept', *Macleans* 106: 13 (1993) 9-10; Donna Jacobs, 'Bill C-11 "deeply flawed": Ex-immigration official', *Ottawa Citizen* 1 November 2001.

7 Nicholas Keung, 'Mexican refugee requests', *Toronto Star* 5 August 2007; *Citizenship and Immigration Canada*, 'Backgrounder: The visa requirement for Mexico', 13 July 2009.

8 *Citizenship and Immigration Canada*, 'Facts and figures 2012 – immigration overview: Permanent and temporary residents', 26 February 2012, http://www.cic.

gc.ca/english/resources/statistics/facts2010/index.asp. *Citizenship and Immigration Canada*, 'Facts and figures 2007 – immigration overview: Permanent and temporary residents', 12 November 2008, http://www.cic.gc.ca/english/resources/statistics/facts2007/temporary/30.asp (accessed 27 July 2009). More recent data for 2008-2010 does not include information by sex.

9 *Immigration and Refugee Board of Canada*, 'Mexico: State protection', May 2005, http://www.fcjrefugeecentre.org/docs/Archives/State per cent 20 Protection-2.htm (accessed 4 September 2009).

10 Ibid.

11 *Citizenship and Immigration Canada*, 'News release – Canada imposes a visa on Mexico', 13 July 2009, www.cic.gc.ca/english/department/media/releases/2009/2009-07-13.asp.

12 *Citizenship and Immigration Canada*, 'Facts and figures 2007'.

13 *Citizenship and Immigration Canada*, 'Facts and figures 2007'.

14 Wayne Ewen, 'Flood of Mexican refugees shows poor border controls', *Star-Phoenix*, 2 October 2007.

15 Marina Jiménez, '9,000 ordinary people flee Mexican drug war', *Globe and Mail*, 20 October 2008.

16 Peter Showler, 'The bogus refugee myth', *Ottawa Citizen* 12 August 2009. Peter Showler is the director of the Refugee Forum at the Human Research and Education Centre, University of Ottawa.

17 Maureen Silcoff, 'Seeking refuge from Mexico', *Globe and Mail*, 7 February 2009. Silcoff is a former member of the refugee board.

18 While we highlight economic concerns as gaining ascendancy in the refugee agenda, others suggest that geopolitical and cultural axes also play a key role in shaping the credibility and portrayal of (women) asylum claimants today. For more on this, see Spijkerboer (2000).

19 John Intini, 'Guns in the sun: Escalating violence may be making Mexican vacations too risky', *Macleans*, 4 June 2007.

20 Samatha Sarra, 'New hearing for rejected Mexican', *Xtra*, 16 April 2008.

21 Alexandra Zabjek, 'Local family wins refuge from Mexico's drug wars', *Edmonton Journal*, 3 March 2009.

22 Dale Smith, 'British queer activist warns Canada of 'rigged' asylum system', *Xtra*, 5 August 2009.

23 Valerie Fortney, 'Desire for a better life lures Mexicans to Alberta', *Calgary Herald*, 24 March 2009.

24 Donna Jacobs, 'Bill C-11 "deeply flawed": Ex-immigration official', *Ottawa Citizen*, 1 November 2001.

25 Diane Renaud, 'Be compassionate but we must draw the line', *Windsor Star*, 13 October 2007.

26 *Canadian Immigration Reform Blog*, 'Mexican "refugees" strain Windsor's social services', 20 September 2007, http://canadianimmigrationreform.blogspot.com/2007/09/mexican-immigrants-strain-windsors.html.

27 *Immigration and Refugee Board of Canada*, 'Mexico: State protection'; *Amnesty International*, 'Protection law fails Mexican women', 30 January 2009, www.amnesty.org/en/ne ws-and-up dates/ne ws/protec tion-law-fails-mexican-women-20090130 (accessed 6 September 2009).

28 We do not discount the possibility that some Mexican men are physically abused by their (female) partners. However, the majority of studies in this area emphasise the disproportionate number of women being abused by their male partners. We therefore focus on the latter.
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30 *Citizenship and Immigration Canada*, 'Resettlement from outside Canada: Convention refugees abroad class', 31 March 2007, www.cic.gc.ca/english/refugees/outside/convention.asp (Accessed 5 September 2009).
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37 Sarah Sacheli and Roberta Pennington, 'Mexicans pour into Canada from us: Agencies brace for thousands more at border', *Windsor Star*, 18 September 2007.
38 Chris Selley, 'Mexicans are flooding into Canada and claiming refugee status: Why is it happening, and what can we do to stop it?' *Macleans*, 4 October 2007.
39 James Bissett, 'Stop bogus refugees before they get in', *National Post*, 27 September 2007.
40 D. Schmidt, 'Refugees pose "potential crisis"', *Windsor Star*, 19 September 2007.
41 'Day promises "consequences" for illegal refugees', *ctv News*, 28 September 2007.
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43 Adrian Humphreys, 'Illegal migrants lured to Canada', *National Post*, 20 September 2007.
44 'Mexicans invade Canada, Canadians invade the us', *Law is Cool Blog*, 22 September 2007.
45 Jiménez, '9,000 "ordinary people" flee Mexican drug war'.
46 Steven Edwards, 'Spike in Canada refugee claims shows "systemic abuse" Kenney charges', *Financial Post*, 24 March 2009.
47 Raphael Alexander, 'Jason Kenney is doing a great job', *National Post*, 30 July 2009, http://network.nationalpost.com/np/blogs/fullcomment/archive/2009/07/30/raphael-alexander-jason-kenney-is-doing-a-great-job.aspx (Accessed 4 September 2009).
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Amsterdam University Press

Cover illustration: Hungarian refugees Rozsa and Imre Tölgyesi at home in Numansdorp, 1958. Habetler Collection, iisg Amsterdam

Cover design: Studio Jan de Boer bno, Amsterdam
Layout: Hanneke Kossen, Amsterdam

Amsterdam University Press English-language titles are distributed in the us and Canada by the University of Chicago Press.

isbn 978 90 8964 573 9
e-isbn 978 90 4852 175 3 (pdf)
e-isbn 978 90 4852 176 0 (ePub)
nur 741 / 763

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