

## V. MIGRATION REGULATIONS AND SEX SELECTIVE OUTCOMES IN DEVELOPED COUNTRIES

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Discussions of international migration frequently distinguish between the migrant-receiving countries of Europe on the one hand and those in Northern America and Oceania on the other. The first group is taken to represent the "labour-recruitment" countries, whereas the second is considered that of the countries of "permanent settlement" or "immigration" (United Nations, 1979, 1985a, 1985b; De Wenden, 1987). This distinction serves to capture the differences between countries regarding the objectives that they have pursued through migration as well as their immigration histories. Despite those distinctions, the migrant receiving countries of Europe share with the overseas countries of immigration—Australia, Canada, New Zealand and the United States of America—the experience of having admitted, since the mid-1970s, a majority of their migrants on the basis of family reunification and of having witnessed the development and consolidation of "the women's movement" in their midst. As a result, during the 1970s and 1980s, social, economic, political and legal inequalities between men and women have been documented and discussed in all of those countries and broad concern over gender inequality has in turn led to the explicit consideration of women's issues in research on international migration. Such research has shown that considerable numbers of women migrate internationally and has documented both the role played by women in the migration process and their experiences as migrants. Much of that research has addressed two themes that are prevalent in general studies on women: the invisibility of women in social science research and the

disadvantaged economic, social and legal status of women compared to men.

Direct or overt discrimination is considered an important cause of inequality based on gender, but the experiences of women are also shaped by practices and regulations that result in covert, indirect and systemically induced discrimination. This type of discrimination occurs when there are different outcomes for men and women as a result of practices and regulations that are not sex-specific in their terms of reference, but that become so in their implementation (Abella, 1984; Boyd, 1989a).

Because immigration regulations represent a mediating mechanism between the societies of origin and destination, they are especially likely to have embedded within them practices that lead to differential outcomes for men and women. Immigration laws and regulations can be overtly discriminatory on the basis of country of origin, citizenship, sex, race, religion and other criteria, and therefore produce differential outcomes regarding entry status, social and economic entitlements, and migration-related rights for particular groups of persons meeting the stipulated criteria. However, throughout the twentieth century, many nation States have removed overtly discriminatory criteria from their immigration laws and regulations. Such removal does not mean that all immigration regulations in all countries are free from discriminatory outcomes, but it does imply that most differential outcomes are produced indirectly or covertly. That is, outcomes that differ according to sex, race or ethnicity are produced primarily through the implementation of general laws and practices which are not discriminatory in content, but that become so in combination with other rules, regulations and practices.

This paper examines the implications of migration rules and regulations for the status of migrant women. The first section emphasizes that the sex-specific

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effects of migration regulations need to be understood alongside systems of sex stratification and within the context of country-specific ideologies regarding migration. The second section considers to what extent the sex selectivity of migration reflects direct or systematic discrimination associated with migration regulations. The third examines the link between admission regulations and sex differentials in access to economic entitlements in the country of destination. The fourth and fifth sections discuss how migration regulations, as mediated by sex stratification and country-specific practices, can produce differential outcomes for migrant men and women in terms of the right to remain in the country of destination and in their ability to facilitate the migration of others.

A. IMMIGRATION REGULATIONS, SEX STRATIFICATION  
AND COUNTRY DIFFERENCES IN  
MIGRATION OBJECTIVES

Immigration regulations need not be overtly discriminatory to produce sex-specific outcomes. Systematic discrimination can result when migration regulations reinforce gender inequality by accepting stereotypical images of men and women and traditional sex roles in the countries of origin and destination. Practices tending to designate men automatically as heads of household confirm and perpetuate a traditional sexual division of labour, both within the immigrant family and in society at large. In countries where women's roles are confined to child-bearing and child-rearing and where educational and employment opportunities are limited, men rather than women may receive higher educational and occupational training and, consequently, be more likely to meet the educational and occupational requirements set by immigration regulations. Industrial economies which view traditionally female occupations, such as clerical work or domestic service, as less skilled than equivalent male occupations, such as typesetting or driving, and which base admission criteria and entry status on those views thus incorporate and reaffirm images of female labour as less valuable in their immigration standards. In countries where women are typically paid less than men, migrant women may have more difficulty than

migrant men in meeting the financial criteria necessary for continued residence in the host country or in sponsoring the migration of close relatives.

Any analysis of the overt or covert infusion of gender roles into the implementation of immigration law and regulations needs to consider the variation stemming from country differences in immigration objectives and in the resulting immigration laws and procedures. Both European countries and the overseas countries of immigration permit the entry of migrants on the basis of social, humanitarian and economic grounds. However, they differ in the historical use of those grounds, their policy objectives and their admission and residence procedures.

In the overseas countries of immigration—Australia, Canada, New Zealand and the United States—migrants may be admitted on a short-term, long-term, temporary or permanent basis, although permanent settlement is a central objective of immigration policy and it is widely assumed that all those acquiring permanent residence rights will remain in the country; so much so, that Canada and the United States lack a formal system to monitor emigration. Although economic considerations based on labour market needs have always been, to a greater or lesser extent, a basis for the admission of some immigrants, family ties with citizens or previous immigrants have generally been the basis for the admission of a high proportion of all immigrants, particularly in the United States (United Nations, 1992). Migrants admitted on a temporary basis constitute a heterogeneous group that includes students, exchange visitors, business representatives, unskilled and highly skilled workers admitted to meet specific labour needs, asylum-seekers, the fiancés or fiancées of residents etc. All these migrants are admitted on a conditional basis and are subject to restrictions regarding their participation in the labour market, their residence rights and the right to be accompanied by close family members. Although temporary migrants are supposed to leave once their residence rights expire, some categories are allowed to become immigrants. In Canada, for instance, foreign domestic workers admitted temporarily are permitted to adjust to permanent resident status and in the United States a significant propor-

tion of the immigrants admitted each year are persons adjusting their status from some category of temporary admission.

The history of migration to the Western-bloc countries of Europe and their current administrative structure differ substantially from those of the overseas countries of immigration. Beginning in the late 1950s, a number of European countries that faced labour shortages—especially, Belgium, France, the Federal Republic of Germany, the Netherlands, Switzerland and Sweden—recruited unskilled workers, mostly from other European countries, on a temporary basis, with the expectation of having them return to their countries of origin once their contracts expired. However, return migration did not occur as readily as expected and when the labour-importing countries decided unilaterally to stop the recruitment of foreign labour around 1973 or 1974, they allowed those foreign workers wishing to stay to remain in their territories and, provided some conditions were met, to bring in their immediate relatives. The decision to permit family reunification both recognized the long-term nature of migration and ensured that the migrants remained for good (Castles, 1984; United Nations, 1979; 1985a; 1985b).

The different positions of the overseas countries of immigration and the former labour-importing countries of Europe regarding the objectives of migration are evident in regulations governing family reunification. In Australia, Canada, New Zealand and the United States, family ties are the basis for the admission not only of spouses and children, including adult children, but also of parents and siblings. In Europe, the definition of family is more restricted, usually including only spouses and dependent children under a given age. In some European countries, such as the United Kingdom of Great Britain and Northern Ireland, elderly parents over a certain age can be admitted if they meet stringent criteria (e.g., provided they are wholly dependent on their migrant sons or daughters who have adequate means to support them and provided they lack other close relatives in their own country). The requirements for family reunification differ somewhat among European countries, but they are generally more stringent than those imposed by the countries of

immigration. Those requirements generally include one or more of the following: proof of family relationship, such as legal marriage; a minimum length of residence by the head of the household in the host country; proof of sufficient resources to support the family members that are to be admitted (usually by presenting proof of having an adequate income or employment); and ability to pay for or the existence of adequate housing. Once those conditions are met, a residence permit may be granted to the spouse and children of a resident migrant (Castles, 1984; Barisik, 1987; Lithman, 1987; Mehrlander, 1987; Federal Republic of Germany, 1988; Lemoine, 1989; Pekin, 1989; United Kingdom, 1989).

European countries, in contrast with the overseas countries of immigration, generally do not grant migrants the right to permanent residence when they are first admitted into the country, although there are considerable variations between countries (Pekin, 1989). Usually, a short-term permit is issued initially although, in some countries, persons admitted as refugees are granted at the outset a right to residence for an indefinite period. The short-term residence permit can be renewed a number of times and after a specified period (usually measured in years) it can be exchanged for a permit which confers a longer term and more solid right to residence. In some countries, such as Germany, the right to permanent residence is granted only if the migrant satisfies integration criteria related to employment, language skills and other factors. Administratively, the system of granting incremental residence rights to persons that are considered "temporary migrants" distinguishes European countries from the overseas countries of immigration where immigrants are admitted as permanent residents at the outset and temporary migrants are not necessarily granted improved residence rights over time.

The separation of employment rights from residence rights also distinguishes many European countries from those of immigration. The latter group admits immigrants with a view to making them citizens and therefore tends to extend to them equal economic, social and political rights within a relatively short period (Boyd, 1988b). In particular, immigrants have the same economic rights as citi-

zens upon admission, so that the right to seek employment is inextricably linked to the status of immigrant. In European countries, in contrast, residence rights do not necessarily encompass the right to obtain paid work (De Wenden, 1987; Pekin, 1989) and important distinctions exist between the rights of the "bridgehead" migrant and those of accompanying family members (usually admitted long after the bridgehead migrant).

Although some simplification is necessary to make broad comparisons between the migrant-receiving European countries and the overseas countries of immigration, it is important to underscore that European countries are not homogeneous in their treatment of migrants, nor do they apply the same rules to all migrants. The member States of the European Community (EC), for instance, accord special treatment to citizens of other member States<sup>1</sup> by assuring them the right of residence while they seek employment and hold a job in another member State (Hovy and Zlotnik, 1993). Similar rules operate within the member States of the Nordic Common Market (Denmark, Finland, Iceland, Norway and Sweden). In addition, some countries provide work permits alongside residence permits for all family members. In the United Kingdom, for instance, no employment restrictions exist for family members of permanent settlers (excluding fiancés or fiancées who are admitted conditionally). In Belgium and Sweden, non-EC and non-Nordic nationals, respectively, must obtain both a work permit and a residence permit prior to entry but in Sweden migrants entering under family reunification are permitted to seek employment right away (Lithman, 1987, p. 15). In Belgium, in contrast, persons admitted under family reunification are not automatically entitled to a work permit, and the type of permit issued to married women is determined by the work permit held by their husbands (De Wenden, 1987; Pekin, 1989). In Germany, spouses of foreign workers must wait four years (three if they are Turkish) after admission to apply for an initial work permit.

The treatment of the offspring of migrants in general and of the dependants of those migrants moving under regimes assuring the free movement of workers, as in the European Community or the Nordic Common Market, are two additional factors

to consider when discussing European migration regulations and practices. In the European Community, regulation 1612/68 of 1968 establishes that when a national of a member State pursues an economic activity as an employed or self-employed person in the territory of another member State, his spouse and those of his children under the age of 21 years or dependent on him have the right to take up any activity as employed persons throughout the territory of the host member State, even if they are not nationals of any member State (Hovy and Zlotnik, 1993). With respect to migrants who are not citizens of member States, some European countries grant to their dependent migrant children of both sexes residence rights under the permit of a parent (usually the father). The offspring of migrants may apply for residence permits in their own right by a specified age and the granting of work permits is not automatic.

#### B. SEX SELECTIVITY OF ENTRY REGULATIONS

The preceding discussion raises three questions. First, do migration regulations include sex as an explicit criterion for admission, thereby giving rise to sex-specific outcomes? Second, do sex-specific outcomes operate to the disadvantage of migrant women? And, third, to what extent are the answers to the preceding questions different for the overseas countries of immigration from those for European countries? This section discusses those questions with respect to entry status.

The first question can be answered in the affirmative only if regulations include sex-specific words, such as, husband or wife instead of spouse, daughter or son instead of offspring, or male or female instead of migrant.<sup>2</sup> Three sources were scrutinized for the appearance of sex-specific terminology: (a) entry legislation for Canada, the United Kingdom and the United States; (b) overviews of migration regulations for Austria, the Federal Republic of Germany (Federal Republic of Germany, 1988), and Sweden (Lithman, 1987); and (c) a summary article by Pekin (1989) on regulations governing family migration in Austria, Belgium, France, the Federal Republic of Germany, Luxembourg, the Netherlands, Norway, Sweden and the United Kingdom.

Generally, migration regulations governing entry are not overtly sex-specific although two types of exceptions exist. First, legislation governing the entry of "au pair" workers tends to specify "au pair girls", thus clearly targeting women. Second, legislation on family reunification for the United Kingdom and a description of family reunification regulations for Belgium (Pekin, 1989) employ, in selected instances, terminology that appears to distinguish between men and women. In the United Kingdom, for instance, section 3 of the 1989 Statement of Changes in the Immigration Rules stipulates that nothing in the rules shall be construed as allowing a woman to be granted entry clearance, leave to enter, or variation of leave as the wife of a man when the marriage is polygamous, but no stipulations exist regarding the admission of a man whose marriage is polygamous. Similarly, leave to enter may be granted to wives and children under 18 of male students who are admitted for temporary purposes (United Kingdom, 1989, section 31), but no section refers to the possible entry of the husband and children of a female student. The 1989 Immigration Rules, however, no longer incorporate other cases of overt discrimination based on sex that were present in the 1984 legislation (WING, 1985). In particular, the 1989 Rules grant both men and women equal status in sponsoring spouses if the migrants themselves have been granted unlimited leave to stay in the United Kingdom or if they have leave to enter under a work permit.<sup>3</sup>

Those examples notwithstanding, sex-specificity in migration regulations is the exception rather than the rule. However, the absence of sex-specific directives does not mean that immigration regulations are gender-neutral or that they produce gender-neutral outcomes. For instance, the sex composition of migration inflows to the overseas countries of immigration, among which sex is not a criterion for admission, suggests that indirect and systemic factors are at work even though, at first glance, the sex composition of migration flows buttresses the impression of gender neutrality in the admission process. Contrary to the stereotypical view of migration as male dominated, as table 14 shows, women have tended to outnumber men among immigrants admitted by the overseas countries of immigration and, particularly, by the United States before 1981

(Houstoun, Kramer and Barrett, 1984; Tyree and Donato, 1986). The importance of family reunification as the basis for immigrant admission has generally been held responsible for such pattern.

Women are less likely than men to enter on the basis of labour-market criteria. In Europe, labour migration during the 1960s and early 1970s was clearly dominated by men, although migrant female workers constituted sizeable proportions of those originating in countries such as Portugal (Caspari and Giles, 1986), Turkey (Davis and Heyl, 1986), and Yugoslavia (OECD, 1987). Table 15 shows that during the 1980s the proportion of women among migrants admitted as workers rose somewhat in France and that the proportion of women among migrants receiving initial work permits in Austria was substantial, generally surpassing 40 per cent. However, the data for Austria and the Federal Republic of Germany do not reflect the admission of migrant women as workers but rather the entry into the labour force of migrant women admitted mostly on the basis of family reunification.

Tables 16 and 17 show the percentage of women among immigrants admitted by Canada and the United States, classified by admission category. In Canada, somewhat fewer women than men were admitted in the business or "other" categories which represent the labour component of Canada's immigration intake. Consideration of family status reveals that women who enter in the business and "other" categories are seldom admitted as principal applicants but instead enter as the spouses or dependants of principal applicants. The same is true for women admitted under the third and sixth preference categories of admission to the United States which constitute the labour component of immigration to that country (table 17).

If women are less likely than men to enter both European countries and the overseas countries of immigration on the basis of labour-market criteria, on what grounds do they enter? As already suggested, the majority of migrant women are admitted on the basis of their familial ties to another person, usually male. Women who migrate under the auspices of family reunification in Europe may be termed "dependent" migrants because their admittance is

TABLE 14. PERCENTAGE OF WOMEN AMONG THE MIGRANTS ADMITTED  
BY SELECTED COUNTRIES: 1973-1988

| Year | Immigrants aged 15 or over |        |               |                | Migrants of all ages |                    |             |        |
|------|----------------------------|--------|---------------|----------------|----------------------|--------------------|-------------|--------|
|      | Australia                  | Canada | United States | United Kingdom | Belgium              | Germany, (Western) | Netherlands | Sweden |
| 1973 | 49.6                       | 48.5   | 54.6          | 46.6           | ..                   | ..                 | ..          | 50.9   |
| 1974 | 49.7                       | 49.4   | 54.5          | 43.1           | ..                   | ..                 | ..          | 63.1   |
| 1975 | 57.5                       | 51.4   | 54.4          | 49.1           | ..                   | ..                 | ..          | 48.7   |
| 1976 | 54.5                       | 52.4   | 54.8          | 46.9           | ..                   | ..                 | ..          | 46.8   |
| 1977 | 51.3                       | 53.3   | ..            | 46.2           | ..                   | ..                 | ..          | 48.2   |
| 1978 | 51.2                       | 54.8   | 53.4          | 46.9           | ..                   | ..                 | ..          | 49.2   |
| 1979 | 51.7                       | 51.9   | 53.1          | 47.6           | ..                   | ..                 | ..          | 49.2   |
| 1980 | 49.2                       | 50.4   | ..            | 47.4           | ..                   | ..                 | ..          | 49.3   |
| 1981 | 48.1                       | 51.7   | ..            | 46.0           | ..                   | ..                 | 49.4        | 50.5   |
| 1982 | 49.0                       | 51.6   | 50.2          | 51.5           | ..                   | 43.7               | 51.1        | 50.7   |
| 1983 | 50.2                       | 54.3   | 49.5          | 48.4           | ..                   | 43.9               | 51.6        | 50.2   |
| 1984 | 52.4                       | 54.6   | 49.5          | 50.0           | ..                   | 44.4               | 50.0        | 47.6   |
| 1985 | ..                         | 53.1   | 49.9          | 59.6           | 46.4                 | 42.9               | 46.4        | ..     |
| 1986 | ..                         | 51.0   | 50.2          | 51.9           | 46.3                 | 43.2               | 47.0        | 47.3   |
| 1987 | ..                         | ..     | 50.3          | 50.8           | 47.6                 | 45.8               | ..          | 48.3   |
| 1988 | ..                         | ..     | 49.6          | ..             | 47.6                 | 45.5               | ..          | ..     |

Sources: Australia, *Yearbook of Australia, 1980* (Canberra), p. 120; Australia, *Yearbook of Australia, 1986* (Canberra), p. 118; Monica Boyd, "Migrant women in Canada: profiles and policies, 1987", Immigration Research Working Paper No. 2 (Ottawa, Employment and Immigration, 1989), table 6; United States, Immigration and Naturalization Service, *1976 Annual Report* (Washington, D. C., Government Printing Office), table 10; United States, *Statistical Yearbook of the Immigration and Naturalization Service, 1988* (Washington, D. C., Government Printing Office), table 11; United Kingdom, Office of Population Census and Surveys, *International Migration* (London, Her Majesty's Stationery Office), Series MN, No. 3 (1976), table 2.9; Series MN, No. 13 (1986), table 2.7; and Series MN, No. 14 (1987), table 2.8; Organisation for Economic Co-operation and Development, *SOPEMI 1989* (Paris, 1990), tables B2.1 and B2.2; and Sweden, *Yearbook of Nordic Statistics* (Stockholm, various years).

NOTE: The data for Australia, Canada and the United States refer only to immigrants. The data for the United Kingdom refer to persons intending to stay in the country for a year or more. The data for the Netherlands exclude migrants from other European Community countries and those for Sweden exclude migrants from the Nordic countries. Two dots (..) indicate that data are not available or are not separately reported.

conditional on the presence (and the residence permit) of another person in the receiving country. In the countries of immigration, family reunification is also the main avenue for female migration and women are frequently admitted in categories that indicate either their marital relationship or their adjunct status to a man, whether migrant himself or not.

In Canada, over 60 per cent of female migrants aged 15 or over were admitted on the basis of family ties during 1981-1986 (the family and assisted relatives classes in table 16). Women constituted 59 and 51 per cent, respectively, of the persons admitted in those admission classes. They also tended to outnumber men in the class of retired persons. How-

ever, only in the family class did women outnumber men as principal applicants, largely because wives who migrate to rejoin their husbands are administratively processed as principal applicants. Their admission, however, is conditional on the existence of sponsors, who are close relatives that agree to assume the financial and social responsibility for the care of the applicant. Note that in all admission categories, the "spouses" of the principal applicant were overwhelmingly women (table 16).

Similar patterns characterize immigration to the United States. In the categories subject to numerical limitation, women outnumbered men as spouses of aliens already residing in the United States.<sup>4</sup> As

TABLE 15. NUMBER OF NEW FOREIGN WORKERS ANNUALLY ENTERING THE LABOUR FORCE OF SELECTED EUROPEAN COUNTRIES AND PERCENTAGE OF WOMEN AMONG THEM: 1976-1987

| Year       | France |            | Germany             |            | Austria             |            |                      |            |
|------------|--------|------------|---------------------|------------|---------------------|------------|----------------------|------------|
|            | Number | Percentage | Number              | Percentage | Initial permits     |            | Extension of permits |            |
|            |        |            |                     |            | Number              | Percentage | Number               | Percentage |
| 1976 ..... | 26 949 | 26.5       | ..                  | ..         | ..                  | ..         | ..                   | ..         |
| 1977 ..... | 22 756 | 28.0       | ..                  | ..         | ..                  | ..         | ..                   | ..         |
| 1978 ..... | 18 356 | 28.3       | ..                  | ..         | ..                  | ..         | ..                   | ..         |
| 1979 ..... | 17 395 | 29.9       | ..                  | ..         | ..                  | ..         | ..                   | ..         |
| 1980 ..... | 17 370 | 27.7       | ..                  | ..         | 95 425              | 38.7       | 117 367              | 40.7       |
| 1981 ..... | 33 433 | 20.4       | ..                  | ..         | 81 934              | 39.2       | 111 162              | 41.6       |
| 1982 ..... | 96 962 | 18.1       | ..                  | ..         | 57 234              | 39.2       | 91 802               | 41.3       |
| 1983 ..... | 18 483 | 26.5       | 24 373              | 22.4       | 52 674              | 38.0       | 74 173               | 45.4       |
| 1984 ..... | 11 804 | 32.6       | 27 511              | 20.0       | 55 239              | 38.0       | 72 182               | 43.9       |
| 1985 ..... | 10 959 | 32.7       | 33 400              | 24.5       | 60 247              | 37.5       | 67 485               | 44.1       |
| 1986 ..... | 11 238 | 32.5       | 37 224              | 24.1       | 50 818 <sup>a</sup> | 38.8       | 79 066 <sup>a</sup>  | 40.4       |
| 1987 ..... | 12 231 | 34.2       | 12 721 <sup>b</sup> | 21.3       | 46 812              | 40.6       | 86 661               | 38.7       |

Sources: France, Ministère de l'économie, des finances et du budget, *Annuaire statistique de la France, 1988* (Paris), p. 82, table B.03-04; Gudrun Biffel, "Report on labour migration" (Vienna, 1988), unpublished, tables 2 and 3; Heinrich Meyer, "SOPEMI country report for the FRG" (Paris, Organisation for Economic Co-operation and Development, 1987), table 2.

Note: Two dots (..) indicate that data are not available or are not separately reported.

<sup>a</sup>Administrative practice was not strictly comparable with that of previous years.

<sup>b</sup>Refers to the period 1 January to 31 May.

TABLE 16. SELECTED CHARACTERISTICS OF IMMIGRANTS AGED 15 OR OVER ADMITTED BY CANADA, BY CLASS OF ADMISSION AND FAMILY STATUS: 1981-1986

|   | Total   | Family class | Refugees and designated classes | Assisted relatives | Independent classes |          |        |
|---|---------|--------------|---------------------------------|--------------------|---------------------|----------|--------|
|   |         |              |                                 |                    | Retired             | Business | Other  |
| Number of immigrants                          |         |              |                                 |                    |                     |          |        |
| Female .....                                  | 259 563 | 140 970      | 27 904                          | 21 202             | 6 638               | 12 582   | 50 267 |
| Male .....                                    | 234 365 | 98 758       | 43 883                          | 20 358             | 5 510               | 14 351   | 51 505 |
| Percentage distribution by class of admission |         |              |                                 |                    |                     |          |        |
| Female .....                                  | 100.0   | 54.3         | 10.8                            | 8.2                | 2.6                 | 4.8      | 19.4   |
| Male .....                                    | 100.0   | 42.1         | 18.7                            | 8.7                | 2.4                 | 6.1      | 22.0   |
| Proportion of women .....                     | 52.6    | 59.0         | 38.9                            | 51.0               | 54.6                | 46.7     | 49.4   |
| Proportion of women by family status          |         |              |                                 |                    |                     |          |        |
| Principal applicant .....                     | 42.6    | 55.2         | 20.4                            | 38.3               | 37.2                | 11.3     | 34.2   |
| Spouse .....                                  | 94.6    | 96.1         | 97.0                            | 89.0               | 93.5                | 93.9     | 93.9   |
| Dependant .....                               | 47.0    | 47.2         | 44.6                            | 47.9               | 47.3                | 46.0     | 48.4   |

Source: Special tabulations provided by Employment and Immigration Canada, Policy Analysis Directorate, Immigration Branch.

shown in table 17, in 1986, 59 per cent of the principal applicants entering the United States as spouses of aliens under the second preference were women. The data also show that fewer women than men entered as principal applicants in the worker categories (third and sixth preferences). However, women outnumbered men among the spouses of immigrants admitted on the basis of labour-market needs.

Patterns of sex-selectivity by family status are also evident in the admission of refugees. Immigration

TABLE 17. PERCENTAGE OF WOMEN AMONG IMMIGRANTS ADMITTED BY THE UNITED STATES, BY CLASS OF ADMISSION AND RELATIONSHIP TO PRINCIPAL APPLICANT: FISCAL YEAR 1986

|   | Total | Principal applicant | Spouse | Children |
|---|-------|---------------------|--------|----------|
| Total subject to numerical limitation .....         | 49.8  | ..                  | ..     | ..       |
| First preference                                    |       |                     |        |          |
| Unmarried sons and daughters of U.S. citizens ..... | 47.6  | 47.1                | ..     | 49.8     |
| Second preference ...                               | 50.7  | ..                  | ..     | 48.9     |
| Spouses of aliens .....                             | ..    | 58.9                | ..     | ..       |
| Unmarried children of aliens .....                  | ..    | 45.7                | ..     | ..       |
| Third preference                                    |       |                     |        |          |
| Professional or highly skilled .....                | 45.7  | 19.9                | 85.9   | 47.5     |
| Fourth preference                                   |       |                     |        |          |
| Married sons and daughters of U.S. citizens .....   | 49.1  | 52.2                | 47.3   | 48.2     |
| Fifth preference                                    |       |                     |        |          |
| Siblings of U.S. citizens .....                     | 50.3  | 48.5                | 54.9   | 48.4     |
| Sixth preference                                    |       |                     |        |          |
| Needed unskilled workers .....                      | 51.9  | 45.5                | 69.9   | 48.3     |

Source: Special tabulations provided by the United States Immigration and Naturalization Service, Statistics Branch.

Note: Two dots (..) indicate that data are not available or are not separately reported.

regulations regarding the granting of refugee status do not specify sex as a criterion, although Gottstein (1988) suggests that certain biases may exist. However, the selection practices used to identify refugees for resettlement tend to designate men as principal applicants. Thus, in both Canada and the United States, men outnumber women, sometimes by wide margins, as refugees admitted in the role of principal applicants, whereas women outnumber men in the category of spouses of principal applicants (tables 16 and 18).

The sex selectivity of migration cannot be readily explained by explicit sex-specific migration regulations, for such directives generally do not exist. Instead, indirect factors, notably sex stereotypes and sex stratification, are at work. In receiving countries, occupational segregation by sex implies that the admission of migrants as workers is sex-specific, although that fact is not stated. Thus, migrants admitted as seasonal agricultural workers are usually men, whereas domestic workers are generally women. In sending countries, sex stratification in education and in the labour force may enhance the ability of men and not that of women to meet admission criteria based on economic considerations. In both societies, practices that automatically assign the role of head of household to men increase the probability that women are administratively designated as

TABLE 18. PERCENTAGE OF WOMEN AMONG IMMIGRANTS ADMITTED BY THE UNITED STATES UNDER SELECTED REFUGEE AND ASYLEE ADJUSTMENT LEGISLATION: FISCAL YEAR 1986

|                      | Total | Refugee or asylee | Spouse | Children |
|----------------------|-------|-------------------|--------|----------|
| Total .....          | 43.9  | ..                | ..     | ..       |
| Cuban refugees       |       |                   |        |          |
| Act of 11/2/66 ..... | 43.8  | 43.4              | ..     | ..       |
| Refugees             |       |                   |        |          |
| Act of 3/17/80 ..... | 44.1  | 32.9              | 96.6   | 47.1     |
| Asylees              |       |                   |        |          |
| Act of 3/17/80 ..... | 41.7  | 30.6              | 92.2   | 47.1     |

Source: Special tabulations provided by the United States Immigration and Naturalization Service, Statistics Branch.

Note: The total includes data for persons admitted under the Indochinese Refugee Act of 10/28/77 and the Refugee Parolees Act of 10/5/78. Two dots (..) indicate that data are not available or are not separately reported.

spouses, both by visa officers and by the immigrant family itself (Boyd, 1989c).

Sex stereotypes and sex stratification not only explain why more men than women are admitted on labour-market grounds and more women than men enter as dependent family members, they also influence the type of work for which migrant female labour is recruited. When women enter on the basis of labour-market skills, many are in service occupations.<sup>5</sup> In the United States, among female immigrants admitted as principal applicants in the third and sixth preference categories during 1985-1987, nearly half (45.7 per cent) were in service occupations compared to only 11 per cent of the male principal applicants in those categories (United States Department of Labor, 1989, table 2.3, p. 27). In Canada, between 1981 and 1986, 26.9 and 22.2 per cent of the female immigrants admitted in the independent class held previous or arranged employment in service and clerical occupations, respectively, compared to 6.8 and 3.4 per cent of their male counterparts. Furthermore, in countries that recruit migrant workers on a temporary basis, women are admitted largely as domestic workers, which include those specializing in child care. Case-studies indicate that in the United Kingdom and the United States, Jamaican and Portuguese women are often recruited as domestic workers (Caspari and Giles, 1986; Foner, 1986). "Au pair" arrangements which recruit young women are common in many countries. Regrettably, the lack of sex-specific data prevents an analysis of the extent to which migrant women are admitted to work in occupations that are extensions of the traditional female roles of caregiving and cleaning (United States Department of Labor, 1989, pp. 42-43). However, Canadian data are indicative of the admission of female temporary workers employed in low-skilled, sex-typed occupations. Between 1979 and 1986, women constituted over half of all validated employment authorizations in domestic occupations. In contrast, about one fifth of the male workers admitted temporarily by Canada were issued authorizations for farm work, over one third were engaged in managerial, science and engineering jobs, and another third worked in medical and health-care occupations (Boyd and Taylor, 1986).

### C. ADMISSION REGULATIONS AND ACCESS TO ENTITLEMENTS IN THE RECEIVING COUNTRY

#### *Entry and employment entitlements*

Entry status and migration regulations generally influence the experiences of migrants after they establish residence in a country. A comparison of selected European countries with the overseas countries of immigration indicates that such impacts are more likely to handicap female migrants than their male counterparts, not because of overt discrimination but because entry status and related entitlements differ by gender. The comparison also indicates differences between the countries of immigration and European countries in the nature and degree of those handicaps. Generally, in countries where it takes a long time for migrants to acquire social, economic and political rights equal to those of citizens, migration regulations have more severe negative effects on migrant women than in countries where the acquisition of those rights is more rapid. Although some European countries, such as Sweden, tend to grant full rights to migrants fairly quickly, most belong to the first category described above.

The separation of residence and employment permits that distinguishes most migrant-receiving European countries from the countries of immigration provides an example of how migration regulations can affect the position of migrant women in receiving societies. In the countries of immigration, the fusion of entry and employment rights means that persons who enter illegally, if employed, also work illegally. In European countries, in contrast, migrants may have a legal right to residence but no right to be employed and may therefore be in an illegal situation in terms of employment but not in terms of residence. In a number of European countries, service work is often performed by legally resident migrant women who work illegally. That is the case of a number of Portuguese women in France and of Turkish women in the Federal Republic of Germany (Caspari and Giles, 1986; De Wenden and DeLey, 1986; Goodman, 1987). The separation of residence and work permits leads migrant women

admitted as dependants to engage in illegal employment and ensures that a cheap labour force is available for certain sectors of the economy, particularly domestic service and manufacturing (De Wenden and DeLey, 1986; Goodman, 1987).

Separating residence permits from employment permits has at least two consequences for migrant women.<sup>6</sup> First, in those European countries where the spouses and children of migrants are allowed to enter the labour force only after a number of years have elapsed since their arrival (Pekin, 1989), the newly arrived have no choice but to be economically dependent on other family members. Second, those migrants who decide to engage in clandestine employment become dependent on their employers and are more vulnerable to exploitation. That dependency can influence their eventual application for a work permit and perpetuate the low wages and poor work conditions that they are forced to accept. Goodman (1987, p. 246) describes clandestine workers in the former Federal Republic of Germany as caught in a "work permit round robin". Under German regulations, employers have to petition the Ministry of Labour for the required work permit. The employer has therefore the means to control the worker, since clandestine workers wishing to obtain a work permit are not likely to resist unfair labour practices.

European countries vary in the mandatory period that must elapse between the issuance of a residence permit and that of a work permit, and even when the conditions in terms of length of stay are met, the issuance of a work permit is not automatic, depending on the type of residence permit of the migrant concerned and his or her employment situation. In the Federal Republic of Germany, for instance, work permits for first employment and for the resumption of employment are granted only if no German citizen or a foreigner who is a national of a member State of the European Community is available to fill a given vacancy (Federal Republic of Germany, 1988, p. 23). The effects of such regulations are difficult to ascertain. On the one hand, only 6.3 per cent of all foreign workers had that type of work permit in 1986 but few applications for an initial work permit were turned down (less than 5 per cent in 1986). On the other hand, the regulation stipulates that access to employment, even after years of residence, is a

privilege, not a right. Such messages may reinforce the tendency to seek clandestine employment among migrant women and contribute to reducing the number of applications for work permits.

#### *Economic and income security*

In addition to influencing residence and employment rights, entry status can be part of the eligibility criteria for social welfare programmes. In the United States, for instance, the income and assets of sponsors are considered in determining the eligibility of immigrants who have been in the country for less than three years to obtain assistance through the following programmes: food stamps; aid to families with dependent children; and the supplemental security income for the aged, disabled and the blind. Consequently, sponsored immigrants are unlikely to be eligible for assistance from such programmes (Kramer, 1987, p. 54). In Canada, sponsors are viewed by the federal and provincial governments as making a commitment that the designated immigrants will not require any public assistance during a specified period, ranging from 5 years in the case of immigrants admitted under the assisted relatives category up to 10 years in the case of immigrants admitted under the family class. Such immigrants can be denied, on that basis, access to welfare assistance programmes ranging from income assistance to public housing (Boyd, 1989b). Although practices vary within municipalities and provinces, agencies in charge of implementing the various programmes may not extend aid until evidence is provided that the sponsorship relation has broken down.

Once again, consideration of the sponsor's role in establishing the eligibility criteria for social welfare and income assistance programmes does not explicitly use the sex of the applicant as a criterion. However, since the majority of migrants in the sponsored categories are women, they are more likely to be negatively affected by such regulations. Migrant women who experience marital breakdown are the most vulnerable, particularly because they are less likely to be employed and, if employed, they are likely to earn less than their husbands. Furthermore, they are also more likely to be living with dependent children.

For migrant women in Europe, marital breakdown may also prevent them from receiving needed assistance (OECD, 1985 and 1989). Married migrant women whose marriage breaks up may not be immediately eligible for social welfare assistance, and the practice of giving child allowances to the head of household irrespective of who actually takes care of the children can create difficulties. However, more information is needed to understand how migration procedures linking the residence statuses of wives and husbands are the source of problems in such circumstances.

#### D. THE RIGHT TO REMAIN: ADMISSION, DEPORTATION AND DEPARTURE

Immigration regulations embody more than rules and criteria for admission, they also govern departures and deportations. Entry status and the right to remain are often linked. Given that women tend to be admitted in certain categories more than in others, one can ask if rules governing exits have a greater impact on women than on men. The answer is in the affirmative, less because sex is an explicit criterion for deportation and enforced departure than because there is an association between entry status and the right to remain in the receiving country. Rules governing entry affect exits in at least three ways: (a) by specifying that welfare assistance cannot be sought; (b) by linking the entry status and the right to remain of dependent migrants with those of the principal applicant or sponsoring migrant; and (c) by stipulating conditions on the admission and stay of migrants. In the overseas countries of immigration, regulations on entry rarely fall in the first two categories.

##### *Limitations on welfare assistance*

As already discussed above, migrant women are more likely than migrant men to need welfare assistance. In Canada, making use of welfare programmes is not a condition for deporting permanent residents. In the United States, becoming a public charge can be grounds for deportation and for being refused re-admission but, in practice, those grounds are almost never invoked. The situation in European countries varies and deserves greater study. Migrants in

Sweden are allowed access to social programmes without negative consequences on their residence rights, but in other countries it can be a criterion for withdrawing residence privileges. In the United Kingdom, for instance, "in considering whether to require a wife and children to leave with the head of family, the Secretary of State will take into account all relevant factors including ... the ability of the wife to maintain herself and children or to be maintained by relatives or friends without charge to public funds, not merely for a short period but for the foreseeable future" (United Kingdom, 1989, p. 30). In the Federal Republic of Germany, "[a]s a matter of principle aliens can be expelled if they cannot or do not cover the subsistence costs for themselves and their dependants without receiving social assistance. If social assistance is needed only for a transitory period the alien shall not be expelled as a rule..." (Federal Republic of Germany, 1988, p. 21).

Because of the European Convention on Social and Medical Assistance, nationals of contracting States can be expelled on the grounds of need for assistance only if certain conditions are met, such as less than five uninterrupted years in the Federal Republic of Germany if they entered when they were under 55 years of age. However, in the case of Germany, such rules hold only if the alien has a valid residence permit. After the permit expires, the authorities need not grant an extension if the alien is dependent on public assistance (Federal Republic of Germany, 1988, p. 21). Thus, in some European countries, migrants who hold renewable resident permits will not be immediately expelled if they seek social assistance, but they will not necessarily have their residence permits renewed once they expire and will therefore be liable for deportation.

##### *Limitations on the right of residence*

Women may also be compelled to leave or be deported if their right to remain is tied to that of a principal applicant or resident migrant. However, in the overseas countries of immigration, women who secure permanent residence rights on the basis of their relationship to other migrants are treated as if they had secured those rights on their own. Thus, in Canada, deportation or departure notices do not apply to dependants who are either Canadian citizens

or permanent residents aged 18 or over. In contrast, women admitted to Canada on a temporary basis may be subject to deportation if the person on whom they are dependent for support is deported or compelled to leave. Women admitted as fiancées or those attached to persons whose application for residence is under review (such as refugee claimants) often find themselves in such situations.

In the United Kingdom, authorities can issue a deportation order for the wife and children under 18 of a person that is being deported. However, mitigating circumstances are taken into account. Thus, a deportation order for dependants cannot be issued if more than eight weeks have elapsed since the enforced departure of the person concerned. Furthermore, the Secretary of State may take into account factors such as the ability of dependants to support themselves, their length of residence in the United Kingdom, the ties that the wife or children have to the United Kingdom, or any compassionate or other special circumstances, in determining whether deportation orders are to be issued for dependants. If the wife qualifies for settlement in her own right, usually after four years in approved employment, or if she is living apart from her husband, she will not be included in a deportation order directed at the husband.

As already noted, several European countries follow the practice of issuing residence permits that consolidate over time the right to residence. While the sex of the applicant is usually not an explicit criterion for obtaining a residence permit of longer validity, migrant women may be handicapped in meeting the conditions necessary to obtain enhanced permits. In the Federal Republic of Germany, for instance, an unlimited right to residence can be granted to migrants who have been living in the country for eight years and who can prove that they are sufficiently integrated into its economic and social life. Integration implies meeting the following conditions: having a secure means of subsistence that excludes unemployment benefits or benefits under the Federal Act on Social Assistance, having sufficient knowledge of the German language, having adequate housing, holding a special work permit, proving that one's children attend school and observing the legal order. Obtaining a sufficient level of

language proficiency may be more problematic for migrant women than for migrant men, especially if the former remain at home or if they hold jobs that do not require a good knowledge of the host country's language. In addition, unless the applicant is married to a German citizen or is entitled to asylum, receipt of a special work permit requires the continuous exercise of a legitimate salary-earning activity during five of the eight years of stipulated residence (special provisions for Turkish citizens reduce the required time from five to four years). However, spouses of foreign workers must wait for four years (three if they are Turkish) after admission before they can apply for an initial work permit. Consequently, women who are admitted as spouses must wait a long time to qualify for a more secure resident status and may be prevented from obtaining it altogether by this complex web of requirements regarding residence and work permits.

#### *Conditional admission related to marriage*

Because entry status and residence rights are related, the foreign women admitted for family reunification in European countries can be considered to be admitted conditionally. Such conditionality is stronger in the case of migrants who enter on the basis of intended or newly formed family ties. In fact, all receiving countries in the developed world are concerned about the use of marriage for the sole purpose of gaining admission. This concern underlies the conditional admission of fiancés or fiancées and newly married spouses. Thus, the United States admits fiancés or fiancées of foreign citizens in the non-immigrant class and a marriage must occur within 90 days of entry if the fiancé or fiancée is not to be deported. In Canada, admission of fiancés or fiancées is conditional on marriage occurring within six months of entry. Similarly, in the United Kingdom, fiancés and fiancées arriving with entry clearances for the purpose of marriage are normally admitted for six months. If the marriage does not take place, an extension of stay subject to a prohibition on employment is to be granted only if good cause is shown for the delay and there is satisfactory evidence that the marriage will take place. In the Federal Republic of Germany concern also exists about the extent to which marriage is used as a means

of fueling migration. In December 1981, the Federal Government recommended that spouses of second-generation migrants be excluded from provisions for family reunification if the foreigner concerned has not been resident in the country for at least eight years, has not yet attained age 18 or if the marriage has not existed for at least one year. Not all Länder adopted those guidelines, but discussion continues over restricting the admission of the spouses of second and subsequent generations of migrants (Federal Republic of Germany, 1988, pp. 34-35).

Receiving countries also monitor newly formed marriages and make conditional the residence of the migrant spouse on the continuation of the marriage. In the United Kingdom and the United States, an application for longer term residence can be filed once marriage occurs. In the United Kingdom, the applicant is allowed to remain for one year provided the authorities are satisfied that a number of conditions are met, including that the primary purpose of the marriage is not to obtain entry to the United Kingdom (United Kingdom, 1989, paragraph 131). After a year, if the Secretary of State is satisfied that the marriage has not terminated and that each of the parties has the intention of living permanently with each other, the time limit on the stay of the migrant spouse is removed.

Similar procedures are followed for the admission of persons wishing to join their spouses. In the United States, conditional admittance for a two-year period is granted after marriage. A petition to terminate conditional admittance must be filed 90 days prior to the second anniversary of the alien's admission. As in the United Kingdom, a number of conditions must be met if the foreign spouse is to be granted permanent residence (United States Immigration and Nationality Act, Section 216, Publication 99-639, November 10, 1986). Sweden also provides conditional admittance for a period of up to two years to spouses who are newly married to citizens or foreigners holding a permanent residence permit. During that time, temporary residence permits of six months are issued to the foreign spouse, a practice designed to deter the use of bogus marriages or relationships as a means of immigrating to Sweden (Lithman, 1987, pp. 15-16).

Laws and regulations governing migration for the purposes of marriage appear gender neutral. Neither men nor women are explicitly identified as targets of conditional entry. However, migration for marriage may nevertheless be selective in terms of sex. If sex selectivity exists, gender neutrality in the formulation of migration regulations will not prevent a gender-specific outcome. Thus, unpublished tabulations produced by the Statistics Branch of the United States Immigration and Naturalization Service reveal that women constituted nearly three fourths of the 1987 adjustments to immigrant status by persons admitted as fiancés or fiancées of United States citizens. In Sweden, about two thirds of migrants admitted for family reunion are on the basis of marriage or common-law relationships that have lasted a short time (Lithman, 1987, p. 16). These statistics suggest that women, more than men, are likely to be admitted conditionally for marriage-related reasons. One possible consequence is that those women may be reluctant to leave situations of domestic violence during the period of conditional residence (Lithman, 1987; Boyd, 1989b).

#### E. CAPACITY TO FACILITATE THE MIGRATION OF OTHERS

Migration regulations usually establish procedures under which citizens or resident migrants can facilitate the admission of close relatives. There is little evidence on whether women have equal chances as men to foster such migration, but it appears that women are less likely to sponsor additional migration, not because they are prevented from doing so explicitly by migration regulations but rather because gender roles and stratification make women less likely to meet the criteria necessary to facilitate the migration of others.

In the overseas countries of immigration, immigrants must petition the authorities to bring in relatives. The exact procedure varies by country but, in general, the sponsor must indicate a willingness to assume financial responsibility for the designated person or persons. Approval of the application is based in part on an assessment of the sponsor's ability to support the persons in question. In Canada

and the United States, household income is used as an indicator of such ability. If it is too low according to a specified set of criteria, such as low-income cut-offs or poverty lines, the applicant is not judged as qualified to fulfil the legal agreement to support the would-be migrant relatives and the application is denied. Because women's incomes are generally substantially lower than those of men, they are considerably less likely than men to be successful in sponsoring the migration of relatives, especially if the women concerned are heads of household or single.

In the main receiving countries of Europe, regulations governing family reunification are gender neutral in their wording, though exceptions exist (see, for instance, the cases of Belgium and Luxembourg as reported by Pekin, 1989). However, those regulations generally stipulate more stringent criteria than those set by the countries of immigration. Thus, in order to facilitate the migration of spouses, migrant women must have been employed for a certain period, earn sufficient income and have access to suitable housing. Since standards of adequate income, length of employment or housing are based, often without acknowledgement, on the experiences of male wage-earners, migrant women usually have difficulty meeting them.

#### F. CONCLUSION

Several conclusions derive from the preceding analysis of migration regulations and their impacts. Empirically, in both the overseas countries of immigration and in the former labour-importing countries of Europe, the migration of women during the 1970s and 1980s occurred largely under family reunification. Men predominated in the earlier flows of workers to Europe and they generally outnumber women as principal applicants in the labour-related categories of immigrants admitted by the countries of immigration. Migrant women are admitted largely on the basis of their familial ties to citizens or to other migrants and, consequently, their dependent status with respect to others is perpetuated.

Although migration regulations governing entry do not generally make an explicit differentiation

between male and female migrants, their sex-selective outcomes stem from traditional sex roles and stereotypical images regarding the place of women in society. Thus, women admitted as workers are generally concentrated in the traditional "female" occupations, such as domestic service or nursing.

In a number of European countries, migrant women admitted on the basis of family ties become legally dependent on the migration and residence status of others. The complexity of regulations governing the acquisition of residence and employment rights, which are mostly based on a male-oriented migration experience, means that migrant women are less likely than migrant men to obtain those rights on their own. Migrant women, therefore, often lack rights to entitlements, their ability to enter the workplace legally is considerably more restricted than that of migrant men and, if they lose the support of their husbands or parents and are forced to seek welfare benefits, they may be deported. Furthermore, if their husbands or parents are deported, they may be summarily subject to the same expulsion orders.

These findings underscore the differences in the migration experiences of men and women, and the handicaps faced by migrant women. Both themes dovetail with a literature that studies the process of adaptation of migrant groups while recognizing that social stratification along sex, racial and ethnic dimensions can influence such process. Well into the 1970s, the literature on assimilation often drew upon a nineteenth century liberal paradigm of equality in which individual achievements were stressed and the crucial question was whether some individuals, by virtue of ascriptive criteria (birthplace, sex etc.), were unfairly handicapped.

The findings of this paper are also understandable within two more recent bodies of literature on the welfare State and on feminist analyses of the oppression of women. Recent writing on the welfare State emphasizes that State policies determine the nature of the stratification system by structuring the distribution of resources which range from income transfers and social security to the organization and management of the economy (Esping-Anderson, 1990, pp. 1-3). The welfare State does not necessarily create a more egalitarian society through its social

policies, but rather such policies can maintain existing cleavages or even create new ones (Esping-Anderson, 1990, p. 23). As State policies, migration policies often define the entitlements of newcomers to a nation State, thus creating or maintaining inequalities based on nativity. For example, in Europe, the practice of separating work and residence permits and of allowing the consolidation of residence rights over time derives from an earlier era in which Governments did not view migrants as full participants and members of their societies. Such practices contrast with those of the countries of immigration which tend to extend economic, social and political rights to immigrants either upon entry or within a short period after admission.

As this paper has shown, the position of migrants within host countries varies by sex. Where migrants admitted as dependants have different residence and employment rights than migrants admitted on their own right, the status of female migrants is likely to be negatively affected. Such sex-specificity is not surprising in light of recent analyses relative to the welfare State. State policies are increasingly seen as perpetuating the dependency of women on men, largely through welfare programmes which determine eligibility to benefits on the basis of family structure and which assume that women and children are dependent on male wages (Barrett, 1980; Quadagno, 1990). From this perspective, migration policies are part of the large domain of State policies that assume and sustain female dependency. In fact, the admission of women on the basis of family ties and their vulnerability to deportation for no fault of their own are consistent with the argument that State actions emphasize female familial roles and devalue the economic contributions of women. As with other social policies, the ones relative to migration need not be overtly sex-specific since outcomes that vary by sex can be generated by sex-specific ideologies and entrenched systems of sex stratification (McKinnon, 1989, chapter 8).

#### Notes

<sup>1</sup>As the membership of the European Community has expanded, lengthy transition periods between accession to the Community and the entry into force of freedom of movement provisions have been

established for new member countries. Thus, Greek nationals acquired the right of free movement of workers only on 1 January 1988 and Portuguese and Spanish nationals acquired such right only as of 1 January 1992, except with respect to Luxembourg where the time limit extends to 1 January 1996 (see Hovy and Zlotnik, 1993).

<sup>2</sup>Immigration rules or regulations may also use the pronoun "he" to refer to a migrant (see, for example, United Kingdom, 1989). However, sex-specific reference cannot necessarily be assumed in that case because "he" is generally used as a generic pronoun.

<sup>3</sup>The 1989 Immigration Rules, however, have done nothing to remove the burden of proof regarding marriage that the migrants themselves must assume (WING, 1985).

<sup>4</sup>In the United States, spouses of United States citizens are permitted to immigrate without regard to numerical limitations. According to unpublished 1986 immigration data, men slightly outnumbered women as spouses of citizens (69,286 men versus 68,311 women).

<sup>5</sup>Women who are admitted as family migrants also enter the labour force. Many are found in service occupations and manufacturing (De Wenden and DeLey, 1986; Boyd, 1989a).

<sup>6</sup>Depending on the country, another consequence is the drop in the labour force participation rates. For example, in the former Federal Republic of Germany, the labour force participation of foreign women dropped between 14 and 20 per cent from 1968 to 1980 as a result of the entry of foreign women who were not in the labour force (Mehrlander, 1987, p. 89). However, in France, the labour force participation of women seems to have increased slightly between 1968 and 1975. The number of foreign women in the labour force increased by 32 per cent, compared to an increase of 29 per cent for the foreign female population as a whole (De Wenden and DeLey, 1986, p. 200).

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