

One Roof, One Right
Refugee Claimants and the Right to Social Housing

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Abstract

An environmental scan of housing discrimination in Canada was conducted at the micro, mezzo and macro levels during an MSW student placement at the Center for Research-Action on Race Relations (CRARR) in Montreal. Through this scan, a community organizing issue was identified: Extending the right to social housing subsidies to refugee claimants in Quebec.

The community organizing issue was situated within anti-oppression and human rights contexts. A statement supporting the issue was drafted, outlining demands to the Quebec government, including the amendment of social housing legislation.

Community organizations in Montreal and Toronto were contacted for possible endorsement of the statement, and to publically support the position through a media campaign. At the time of this writing, seven agencies including CRARR have agreed to support the initiative. A launch date for the media campaign has yet to be finalized.

Introduction

In May 2010, I began an MSW placement at the Center for Research-Action on Race Relations (CRARR) in Montreal, Quebec, with a clear but flexible vision. With a Master's degree in urban planning, and having worked in the field of social housing, I was interested in expanding my knowledge and understanding of housing issues, in particular, looking at the issue of housing discrimination in Canada. This fit well with the mandate and priorities at CRARR, in that the executive director, Fo Niemi, felt that housing, along with employment and education, were keys to realizing the full potential of marginalized populations, including racialized communities.

CRARR achieves substantial results with few staff persons and resources. The agency is run by executive director, Fo Niemi, who has been at the head of the organization since the 1980s and has received international recognition for his human rights work. As a social change agency, most of the work at CRARR is directed towards defending the civil rights of racialized persons by arguing cases before the Commission des droits de la personne et des droits de la jeunesse (CDPDJ), and by addressing systemic issues of racial discrimination. CRARR funds itself by taking a percentage of monetary awards for human rights complaints it has successfully argued, and by running workshops, conducting policy analysis and through fundraising campaigns.

The placement at CRARR was largely self-directed. I had weekly meetings with Fo Niemi, who provided insight and focus to my work. Initially, it was decided that I

would conduct an environmental scan of housing discrimination, at the micro, mezzo and macro levels. Through this environmental scan, which included a literature review, and meeting with both service users and service providers, a key organizing issue was identified – that of extending the right to social housing subsidies to refugee claimants in Quebec. This was a right that was currently available to refugee claimants in British Columbia, and Ontario.

Once the organizing issue had been identified, the next step was to start building the basis and support for a media release. This approach, of a public declaration through the media, was suggested by Fo Niemi, and in keeping with CRARR's long track record in strategic use of the media to draw attention to civil rights violations. When asked, at one point, why the media responded so well to CRARR, Fo Niemi replied "because we get results".

Work began on drafting a declaration that set out CRARR's demands to the Quebec government on the issue, and "Fact Sheets" were drafted which would later be distributed to the media. Organizations in Montreal were contacted in July and August asking if they were interested in supporting CRARR's housing rights initiative, by signing the declaration and participating in a media release. All agencies contacted said they were potentially interested in becoming involved.

Letters of invitation were drawn up, and a first draft of the housing rights declaration was completed in August 2010. These two documents were then translated into French. In September and October 2010, agencies contacted during the summer were sent letters of invitation and the housing rights declaration by email. Feedback

from the agencies led to minor changes in the draft statement, and to one additional agency being contacted about the campaign.

By early November 2010 six agencies had agreed to participate in the housing rights initiative: The Centre for Equality Rights in Accommodation; the Committee to Aid Refugees; the Fédération des femmes du Québec; Project Genesis; the Regroupement des organismes du Montreal ethniques pour le logements; and the Table de concertations des organismes au service des personnes réfugiées et immigrants. One agency, the Just Solutions Clinic of the Montreal City Mission declined our invitation.

The launch date for the media release has been delayed several times, owing to the need to allow agencies sufficient time to respond to our invitation, other priorities at CRARR and the decision to contact one additional agency. As of this writing, the date of the launch is still undetermined.

Literature Review

Housing in Canada in the economic sense is highly ideological, and is largely driven by market forces, with an emphasis and bias towards home ownership. Home ownership is commonly viewed as one of the primary ways households increase wealth, a main contributor to political stability and a source of social status. This bias towards home ownership is evident in policies, such as in how capital gains realized by households who sell their principal residence at a profit are not taxed. This tax-free profit, which is estimated to be worth \$11 billion in lost government revenue, surpasses

all the money allocated to low and moderate-income housing initiatives in Canada (“Precarious Housing”, 2010).

Housing affordability problems have largely been experienced up to the present time by renter households. The Canada Mortgage and Housing Corporation (CMHC) defines housing that is not affordable as that which costs 30% or more of total income, and The Wellesley Institute reports that 3.1 million households – more than one in every four households in Canada -- are paying 30% or more of their income on housing (“Definition”, 2010, “Precarious Housing”, 2010). Le Front d’action populaire en réaménagement urbain (FRAPRU) notes that when looking at renter households alone, 35.6% pay 30% or more of their income on housing in Quebec, and 40.3% of renter households in Canada as a whole pay 30% or more of their income on housing (Laberge & Montmarquette, 2010)

According to Moore and Skaburskis (2004), housing affordability problems have increased in both prevalence and severity over the past several decades. The percentage of the national population with severe housing affordability problems (paying more than 50% of their income on rent) tripled from 4.5% in 1982 to 13.6% in 1999, and the number of individuals paying more than 30% of their income on housing more than doubled, reaching 27.5% of all households in 1996. This increase in households with housing affordability problems can be attributed to both rising rents, and an increase in the number of households with low incomes.

Rising rents have mainly resulted from low levels of new affordable housing construction, and changes in legislation such as the removal of rent controls. In terms

of supply, the construction of new affordable housing, both in the public and private sectors, has slowed. Most social housing in Canada was constructed between 1949 and the 1970s. In 1993, the federal government announced it would no longer fund public housing construction, and the following year it devolved responsibility for the administration of public housing to the provinces. Some provinces, such as Ontario, proceeded to further devolve responsibility to municipalities (Wolfe, 1998).

Although the federal and provincial governments announced a joint Affordable Housing Framework Agreement in 2001, and while some of the gap left by the federal government has been filled through this joint initiative, particularly in Quebec, and by the third sector, overall, non-profit actors are playing less of a role in housing construction than they once did. This has important implications for the supply of affordable housing, since although non-profit housing makes up one-fifth of the rental housing market, it accounts for one-third of all affordable rental housing units (Pomeroy, 2001).

The private sector, motivated primarily by profit, also has minimal involvement in the construction of new affordable housing units. Construction of affordable housing is seen as high risk with low profit margins, which provides little economic incentive to build. These supply-side factors have led to a situation in which rents rose by as much as 25 per cent in some centers in Canada between 1996 and 2000 alone (Pomeroy, 2001).

Income is also a key determinant of housing affordability, with 85% of households with incomes less than \$10,000 a year, and 61 per cent of households with incomes below \$20,000 experiencing a housing affordability problem (Pomeroy, 2001).

Although incomes for the most affluent have increased in recent decades, the same is not true for low and moderate income households. A decline in government transfers to Canada's poorest households (for example, the drastic cuts to welfare payments made by the Harris government in Ontario in the 1990s) has contributed to lower incomes. A shift from an industrial to a knowledge economy has resulted in a bimodal distribution of incomes, with gains in the high end of the income range, and shifts downward from middle income to lower income work. These two factors – both government transfers and an increase in low income work – have housing affordability implications.

Although low-income households share a common characteristic, that of limited means, they are also highly diverse. The occupants vary in terms of age, residency status, 'race', gender, sexual orientation and family type. That being said, certain household types are more likely to have affordability problems than others. Moore and Skaburskis (2004), in their analysis of Family Expenditure surveys (FAMEX) and Survey of Household Spending (SHS) data, note that households with affordability problems are often single males and females, as well as lone-parent families.

To summarize, housing affordability problems in renter households result from a combination of high rents and low incomes; an increasing number of households in Canada have been experiencing housing affordability problems in recent decades; and housing affordability is a significant problem in Canada which isn't being adequately addressed by either the private or public sectors.

Entering into this housing situation, which the UN Committee on Economic, Social and Cultural Rights called a "national emergency", are the thousands of refugee

and refugee claimants, most in straitened circumstances, hoping to make a new start to their lives in Canada. In 2006, roughly 7,300 government sponsored refugees, 3,300 privately sponsored refugees, and 21,100 refugee claimants entered Canada (Murdie, 2008). This occurred within a context of over 250,000 immigrants arriving in Canada in total that same year (Hiebert, 2009),

Both refugees and refugee claimants arrive in Canada fleeing persecution in their home country. However, upon arrival the circumstances and supports offered to these two groups differ markedly. Refugees are immediately granted permanent residence status, and are given both government and in some cases, privately-sponsored assistance in the resettlement process. Refugee claimants are granted the right to reside temporarily in the country until their refugee status is determined by the Immigration and Refugee Board. There is no coordinated governmental support offered to refugee claimants to help settle in Canada; some social rights are offered to refugee claimants, while others are not, and these can differ from province to province.

No level of government in Canada offers a housing resettlement program for either refugees or refugee claimants. Refugee and refugee claimant households are instead forced to compete with all other low-income households for housing. Although there has been limited research into the housing circumstances of refugees, and refugee claimants, the research that has been conducted points to housing affordability problems.

A survey of 407 refugee claimants in Quebec who were interviewed three years after their claims had been approved and permanent residency had been granted, found

that 83% of households spent more than 30% of their income on housing, and 60.9% spent more than 50% of their income on housing (Rose & Ray, 2000). In looking at household type, (living alone, sharing, couples without children, couples with children, lone parents), the researchers found that the highest percentages of households with affordability problems were lone-parent households and people living alone.

In a longitudinal survey based on a national sample frame of 164,200 newcomers, Hiebert (2009) studied participants 6, 24, and 48 months after arrival. The researcher reported that about half of the refugees surveyed were living in housing that was not affordable (in which 30% more of income was spent on rent) at the 48 month mark. Likewise, in a qualitative study of 75 Kurdish and Somali refugees in Vancouver, an overwhelming majority (91% of the group) identified lack of affordable housing as a main barrier encountered in their housing searches (Miraftab, 2000).

Through semi-structured interviews with 24 refugee claimants and 20 sponsored refugees who had lived in Toronto for at least one year, Murdie (2008) concluded that 86.7% of sponsored refugees and 66.7% of refugee claimants were spending 50% or more of their income on housing. In a study of 75 refugee households in Winnipeg over a three-year period, Carter and Osborne (2009) found that the proportion of households paying 30% or more in rent fell from 48% in year one, to 29% in year three. It should be noted, however, that there was only a 52% retention rate between years one and three of the Carter and Osborne (2009) study, with only 39 households being re-interviewed in year three.

Sherrell, D'Addario and Hiebert (2008) surveyed Vancouver's shelter population, with results indicating that 40% of the non-Canadian born population was refugees. Given that refugees account for only 13% of newcomers, Sherrell, D'Addario and Hiebert (2008) go on to note that refugees are over-represented in Vancouver shelters by a factor of three. Also, Kissoon (2010) reports that Toronto receives about 5,000 refugee claimants a year, 20% of whom end up entering homeless shelters.

The potential role of discrimination based on citizenship status in limiting a refugee claimant household's housing options and increasing their housing costs, has received very little attention in the academic literature. There is, however, a more substantial body of research into discrimination in housing based on 'race'. Since most refugee claimants are racialized individuals, this merits further attention ("Rapport Annuel", 2008).

In a comprehensive review of housing discrimination in Canada, Novac et al. (2002) note how most informants concluded that the current state of knowledge is insufficient to use as the basis of policy-making. Novac et al. (2002, p.4) define housing discrimination as "...any behaviour, practice, or policy within the public or market realm that directly, indirectly, or systematically causes harm through inequitable access to, or use and enjoyment of, housing for members of social groups that have historically been disadvantaged."

The authors state that twenty separate studies dating from the mid-1950s to the mid-1990s have found 'race'-based discrimination in housing. The study also notes that there has been some research on gender-based discrimination, beginning in the 1980s,

but that there is a lack of systemic research into other prohibited grounds of discrimination in housing in Ontario, such as family status, receipt of social assistance, disability, age and sexual orientation. Furthermore, although Canadian research has tended to be more in-depth in some respects, overall the authors note that it has been far less rigorous in quantifying the extent of discrimination as compared to the USA.

Examining human rights complaints filed with human rights commissions is another way of ascertaining the extent of discrimination, but there is the widespread view that discrimination in housing is underreported. As evidence of this, housing discrimination cases tend to make up very small percentages of overall human rights complaints filed with the Ontario Human Rights Commission (“Measuring Discrimination”, 2009).

As with Novac et al. (2002) a policy review conducted by the Ontario Human Rights Commission (“Policy on Human Rights”, 2009) found that housing discrimination has not been well- researched, and not to the same extent as other areas such as employment. The OHRC notes that discrimination in housing is more likely to occur among individuals with low social and economic status, and that people identified by Ontario *Human Rights Code* grounds, which includes refugee claimants, are more likely to have such statuses.

Research since the Novac et al. (2002) study includes an analysis by Ray and Preston (2009) of a post-census survey of approximately 42,000 residents of Canada in 2002, focusing on individuals between the ages of 18 and 70. The researchers examined discrimination in Canada’s gateway cities, and found that Blacks in Montreal

were 45 times more likely than Whites to report discrimination, and 20.58 times more likely in Toronto. Similarly, in a survey of 150 Black African immigrants and refugees in Toronto, Teixeira (2008) found that discrimination during the housing search was experienced by most of the respondents.

The first paired test regarding housing discrimination was carried out in Canada in 1959, and tests of this kind have continued to this day (Novac et al., 2002). Paired tests are conducted in which two individuals are matched in all respects with the exception of one identifying feature, such a 'race' (ie one tester would be Black, the other White). Testing has been used most frequently in detecting differential treatment in access to housing, and although the method is well entrenched in the United States, it is less so in Canada where it has primarily been carried out by independent researchers.

The Centre for Equality Rights in Accommodation conducted telephone housing testing in Toronto in the summer of 2008 ("Measuring Discrimination", 2009). Twenty volunteers carried out the audits, which tested discrimination in access to housing against lone parents, Black lone parents, South Asian people, individuals receiving social assistance and individuals with mental illness. The study found that Black lone parents were discriminated against 26% of the time, and South Asian persons were discriminated against 23% of the time. The authors conclude "From this research, it is clear that policy makers need to bring discrimination into their discussions of housing and housing policy" ("Measuring Discrimination", 2009, p. i).

It is interesting to note that most of the research reported by Novac et al. (2002) involved looking at discrimination in access and use of housing at the level of the individual. Although there was mention of how zoning bylaws can be discriminatory, there was no other mention of housing discrimination at the structural level. Perhaps related to this is the fact that there are no national organizations or coalitions that address housing discrimination in Canada. In fact, there is only one small organization in all of Canada dedicated to combating housing discrimination – the Center for Equality Rights in Accommodation, in Toronto.

Through in-person interviews with Mazen Houdeib of the Regroupement des organismes du Montreal ethniques pour le logements, in Montreal on June 23, 2010, and John Fraser of the Center for Equality Rights in Accommodation, in Toronto on July 5, 2010, an issue not addressed by Novac et al. (2002), or anywhere else in the literature was identified. That being, that refugee claimants are currently not eligible to apply for public housing in Montreal, whereas they are eligible to apply for public housing in Toronto.

Public housing, where rent is geared-to-income, is an important way that housing is made affordable to those with low incomes. Given that refugee claimants experience a higher incidence of affordable housing problems than the overall population, in which factors such as 'race', residency status and social condition likely play roles, this lack of accessibility to public housing in Montreal is particularly troubling. Also, it is worth noting that denying access to public housing, and all other forms of social housing, based on citizenship status, to people legally entitled to live in Canada, fits within the definition of housing discrimination as put forth by Novac et al. (2002).

Community Organizing, Part I

At the heart of community organizing in democratic societies is the view that the electoral process is not sufficient in and of itself to give various groups and individuals, particularly the marginalized, influence over the workings of government, including policy-making and law-making. Brager, Specht and Torczyner (1987) write of a tension in community organizing between three competing values: expertise, leadership and participation. While experts and leaders are often among the privileged and affluent in society, it is through participation that the marginalized are most able to exert direct influence on the political decision-making process. Participation in this sense most often occurs through voluntary organizations, for example through civil rights groups such as CRARR.

Brager, Specht and Torczyner (1987) note how during the civil rights movement in the USA, and other movements for social change at that time, there was a reconsideration of the heavy reliance in community organizing on education and collaboration, and instead social conflict began to be regarded as a useful approach to bring about social change. CRARR follows this social conflict approach, with the organization drawing attention to civil rights violations of racialized persons in Montreal through the media, often on a daily basis, and often in conflict with other groups in society such as the police.

Brager, Specht and Torczyner (1987) discuss how the terms “strategy” and “tactics” are sometimes used interchangeably in community organizing, though they differ. An organization’s strategy is the steps taken to achieve a long range goal. The

Desautels School of Management at McGill University teaches how there are two different types of strategies – emergent, and rationally planned (David, 2010). Emergent strategies are ones where the vision is clear, but how to achieve the end goal emerges along the way and is often done in a decentralized fashion. This is in contrast to the rational planning model, where the steps to achieve the end goal are clearly set out in advance and the strategic planning process emanates from the top down.

Tactics, on the other hand, are the specific behaviours used to achieve an end goal. Tactics used in community organizing have included sit-ins and demonstrations. Brager, Specht and Torczyner (1987) point out that sometimes organizations engage in tactics without an overall strategy and end goal. However, in CRARR's housing rights initiative, there is both an emergent strategy, with an end goal (social housing rights for refugee claimants), and a well-defined tactic (a media release of the housing rights declaration).

Once a strategy and tactic were identified, more research needed to be conducted to develop CRARR's position on the issue. To start, the legislative basis of the restriction in access to social housing was studied, with a focus on the three provinces where over 70% of all newcomers initially settle: Quebec, Ontario and British Columbia (Hiebert, 2009). In Quebec social housing rights are regulated through the *By-law respecting the allocation of dwellings in low rental housing - An Act respecting the Société d'habitation du Québec*, in Ontario through the *Social Housing Reform Act*, in British Columbia through the policy statement *Application for and Placement In Public Housing – Policy #AP005*.

Although individual social housing providers decide who can live in their housing, the legislation and policy identified in each of the three provinces regulate which households are eligible for provincial rent subsidies. A comparison of the legislation and policy in the three provinces revealed a situation in which refugee claimants in Ontario and British Columbia are eligible for provincial rent subsidies, whereas this is not the case in Quebec.

Much of the work at CRARR is directed at defending the civil rights of racialized persons, however, the agency does not come into contact with many refugee claimants. CRARR is sympathetic to the struggles of refugee claimants though, as most refugee claimants are racialized persons living in vulnerable situations. As Brager, Specht and Torczyner (1987, p.186) suggest “While no organization ever succeeds in engaging its total potential constituency... a sufficient base is required to present an *image* of representativeness. This is what is meant by broadening the constituency.” The authors go on to note that it is by broadening the constituency that community organizers are able to embrace the value of participation.

To broaden the constituency in order to establish legitimacy, it was decided to attempt to build a coalition of agencies serving refugee claimants in support of CRARR’s housing rights initiative. Fo Niemi’s considerable experience in organizing around social change issues and winning important victories in the community led him to suggest contacting a number of key organizations in Montreal regarding the housing rights initiative.

Initially I made contact with key individuals at the following organizations: Committee to Aid Refugees; the Fédération des femmes du Québec; the Just Solutions Clinic of the Montreal City Mission; Project Genesis; Regroupement des organismes du Montreal ethniques pour le logements. All those contacted were surprised to learn of the discrepancy between the social housing rights that refugee claimants were entitled to in Ontario and British Columbia, as compared to in Quebec, and were interested in the initiative, and in receiving a copy of the declaration once it was written for possible endorsement.

Brager, Specht and Torczyner (1987) note how tactics can be based on three different modes of intervention: collaboration, campaigns, and contest or disruption. In making a public declaration of the coalition's position, a reliance on the third mode, *contest or disruption*, was endorsed. *Contest or disruption* involves a "... threat to the system of relationships which gives some people power over others...", in this case, the power that people with permanent status in Quebec, including politicians, have over people waiting to have their status determined by the Immigration and Refugee Board (Brager, Specht and Torczyner, 1987, p.293).

There are three main types of *contest and disruption* tactics: clash-of-position; violation of normative behaviour; and violation of legal norms (Brager, Specht and Torczyner, 1987). Clash-of- position, is "... used within accepted social norms and essentially involves actions like debate, legal disputes, and public manifestos" (Brager, Specht and Torczyner, p.386). It is this type of tactic – clash of position – that is used in the housing rights initiative.

The Housing Rights Declaration

Now that CRARR had obtained tentative preliminary support from organizations serving refugee claimants, it was time to begin drafting the housing rights declaration. Initially Fo Niemi suggested that the declaration appeal to domestic and international human rights agreements containing equality and housing rights provisions. To establish a framework on how to situate and interpret the various human rights agreements, Ife's (2008) book *Human Rights and Social Work* was reviewed.

Ife (2008) describes how there are *three generations* of human rights, each as important as the other, and all three forming a bundle that is indivisible and essential. The *first generation* of human rights are those which are the most discussed in liberal democracies, rights which need to be protected rather than realized, rights which people are seen as somehow 'possessing', and that the state is required to ensure are not threatened or violated. *First generation* human rights include the right to life and the right to equality before the law. The *second generation* of human rights are "... the constellation of rights known as economic, social and cultural rights. These are rights of the individual or group to receive various forms of social provision or services in order to realize their full potential as human beings: the right to employment, the right to an adequate wage, the right to housing, the right to adequate food and clothing, the right to education, the right to adequate health care..." (Ife, 2008, p.31). *Third generation rights* are population rights, such as the right to a clean and healthy environment. Of these *three generations* of rights – "... each is necessary and none is sufficient without the others" (Ife, 2008, p.97).

The most well-known international covenant regarding *first generation* human rights is the *UN Universal Declaration on Human Rights (1948)*, and for *second generation* rights it is the *International Covenant on Economic, Social and Cultural Rights (1966)*. While *first generation* rights have traditionally been the domain of the legal profession, Ife (2008, p.42) believes that *second generation* human rights "... moves a human rights discourse to the core of mainstream social work." *First generation* human rights fit well with dominant Western ideologies of market capitalism and individualism. *Second generation* human rights are more in keeping with democratic socialist ideals and the importance of a certain level of social provision for all. *Third generation* human rights are especially pertinent to those engaged in the environmental movement.

In applying Ife's (2008) concept of human rights to the right to social housing subsidies, the issue of affordable housing is framed as a "right" that all inhabitants of a city are entitled to. Also, while Ife (2008) sees human rights evolving out of discourse, and the interaction of theory and practice, he also acknowledges that written statements on human rights are powerful documents that are an attempt at consensus, and carry a certain amount of moral force.

With this in mind, I started writing the housing declaration by referring to various domestic and international human rights agreements. While housing is not directly mentioned in the *Canadian Charter of Rights and Freedoms* or the *Québec Charter of Human Rights and Freedoms*, there are provisions in each of the documents which are pertinent to the housing initiative. To begin, equality provisions in Section 15 of the *Canadian Charter*, and Section 10 of the *Quebec Charter* were cited. The *Convention*

Relating to the Status of Refugees was also cited for its reference to housing rights. Also, as housing is a crucial component in the right to an adequate standard of living, Article 45 of the *Quebec Charter of Human Rights*, and Article 25 of *UN Universal Declaration of Human Rights* were also referenced.

While sections of domestic and international agreements cited so far belong to the *first generation* of human rights, there are also pertinent sections of domestic and international agreements that assert *second generation* human rights. By including *second generation* human rights, the argument extends to the role of government in ensuring that residents have a minimum standard of living, including access to affordable housing. In so doing, there is the implicit understanding that the workings of the free market are simply not sufficient to meet the housing needs of many low-income households, including refugee claimants. In terms of *second generation* human rights, reference was made to Article 11 of the *International Covenant on Economic, Social and Cultural Rights*, Article 27 of the *Convention on the Rights of the Child* and Article 18 of the *Montréal Charter of Rights and Responsibilities*.

The housing declaration also cited UN Special Rapporteur on Adequate Housing, Miloon Kothari's report following his fact finding mission to Canada in 2007, in which he noted that Canada was one of the few nations in the world today without a national housing strategy (Kothari, 2007). The fact that Bill C-304, *An Act to ensure secure, adequate, accessible and affordable housing for Canadians*, is currently before the Parliament of Canada, was also highlighted. Bill C-304 is a private member's bill introduced by Vancouver East NDP MP Libby Davies, which lays the legislative groundwork for the development of a national housing strategy.

Statistics on the number of refugee claims pending and finalized in the Eastern region of Canada and the average length of time taken to process a claim, and on the number of households in core housing need, were all included in the housing declaration (“Number of Households”, 2010; “Country Report”, 2009). The number of people on the wait list for social housing in Montreal and Toronto was also noted (“Quarterly Activity”, 2010; <http://www.omhm.qc.ca>). Reference was made as well, to two Quebec governmental anti-poverty plans of which housing formed a part of the strategy (“Government Action Plan”, 2004, 2010). The various social rights that refugee claimants are currently entitled to in Quebec were also noted, namely the right to work, and to receive social assistance, legal aid, and health care.

The housing rights declaration ended with the following three demands:

1. The Quebec government to end discrimination in social housing based on citizenship status by immediately reviewing the Société d'habitation du Québec legislation prohibiting refugee status claimants from receiving social housing subsidies; noting in particular that refugee status claimants currently have the right to receive social housing subsidies in Ontario and British Columbia.
2. The Quebec government to strengthen the housing component of its *Government Action Plan for Solidarity and Social Inclusion 2010 – 2015 (2010)* by upwardly adjusting its housing unit targets. This given the fact that by March 31, 2009 16,002 units of the 27,000 units earmarked for 2003-10 had been delivered, yet 24,000 people were still on the wait list for social housing in Montreal alone.
3. All parties in the House of Commons and the Senate of Canada to pass *Bill-304, An Act to ensure secure, adequate, accessible and affordable housing for Canadians* and to work towards the implementation of a national housing strategy, noting in particular that Canada is currently the only G8 country without such a strategy.

Community Organizing, Part II

On September 28, 2010 a letter of invitation and the housing declaration were sent by email to ROMEL, Project Genesis, the Just Solutions Clinic at the Montreal City Mission, and the Committee to Aid Refugees. A letter introducing the initiative along with the declaration was also sent to the Center for Equality Rights in Accommodation in Toronto (CERA), inviting the organization to take part. Project Genesis and CERA threw their unconditional support behind the initiative. ROMEL likewise fully backed the initiative once we clarified wording in the declaration to indicate that refugee claimants were being denied access to social housing subsidies, and not social housing per se. The Committee to Aid Refugees agreed to support our efforts, with some reservations and The Just Solutions Clinic at the Montreal City Mission declined our invitation.

Letters of invitation were also sent to the Table de concertations des organismes au service des personnes réfugiées et immigrants (TCRI) and the Fédération des femmes du Québec, as well as French translation of the housing declaration. On October 23, the TCRI sent an email stating they would support the initiative, and on November 4th the FFQ likewise affirmed its support of our efforts. However, the FFQ requested that we feminize the French version of the text, which we agreed to do, and strongly suggested that for the coalition to be credible, we needed to invite the FRAPRU to participate.

An Anti-Oppression Perspective

Social workers have a long history of anti-oppression practice, dating from the anti-poverty work of Jane Adams and the settlement movement in the 1890s, to the feminist and civil rights movements of the 1960s and 1970s (Benjamin, 2007). These threads continue to influence the profession today, although a focus on societal structures as the source of social problems, which is a feature of all three of these social movements, is often an add-on, and not central to all but the most progressive social work programs.

Mullaly (2002) situates anti-oppressive social work practice within critical social theory, and a conflict perspective of society. Critical social theory as applied to social problems became prominent dating from the 1970s, and the main thrust of the theory is in the attribution of social problems to the existence of social structures that favour certain groups in society over others. Oppressed groups, identified along the lines of 'race', class, gender, sexual orientation, etc, are susceptible to a myriad of social problems, and the solution lies in transforming society into one where social equality replaces the current dominant-subordinate system of relationships. Examples of critical social theory include Marxist, post-modernist, feminist, and anti-racist approaches.

In order to practice anti-oppression social work, Mullaly (2002) states that an understanding of how oppression works is absolutely necessary, looking at both the social structures and the role of human agency. Although social structures and human agency both play a role in how oppression is experienced and resisted, Mullaly (2002) qualifies this by stating that social structures have more power than any one individual,

and that members of dominant groups generally have more power than members of subordinate groups. Also, social structures and the individual do not exist in isolation, but instead interact and influence each other. Mullaly (2002) goes on to outline how oppression occurs at three different levels, that of the individual, cultural and structural levels.

Oppression and resistance to oppression are linked to the concept of power. Post-modernists have suggested that power "... allows one individual or group to dominate others through discursive practices – the powerful ideas and assumptions of particular discourses – but power also is manifest in ‘resistance’ – the ability of an individual or group to struggle against oppression ...” (Mullaly, 2002, p.179). Bishop (1994) discusses power in terms of “power-over”, which is used by the dominant group to oppress subordinate groups, and “power-with”, which is used by “allies” to work with subordinate groups in efforts to empower and liberate these groups from oppression. The housing rights coalition is an example of resistance to power at the structural level, using “power-with” empowerment processes.

Young (1990, as cited in Mullaly, 2002), has developed a list of five types of oppression, which establishes objective criteria that can be used to determine if an individual or group is oppressed. The five types of oppression are: exploitation; marginalization; powerlessness; cultural imperialism and violence. I would argue that refugee claimants experience the second form of oppression, marginalization. This is evident in the ‘9’ at the beginning of social insurance cards held by refugee claimants, which identify them as refugee claimants to employers, and in how refugee claimants

are not entitled to the full range of social benefits that other residents of Canada enjoy, including access to social housing subsidies in Quebec.

I would also suggest that refugee claimants, most of whom are racialized, are at risk of experiencing the third form of oppression, powerlessness, as is evidenced by the research presented here detailing the prevalence of race-based discrimination in the rental housing market. In this regard, Mullaly (2002, p.163) quotes Wineman (1984, p.128) in stating: “Racism attacks the core of people’s sense of their own value, and it ultimately attacks their right to exist... When you are taught from birth that you are inherently inferior, you are taught in the same breath that you are inherently powerless.”

Mullaly (2002, p.3) outlines three broad approaches used to resist oppression: “(1) helping oppressed persons cope with their oppression; (2) attempting to modify/reform the system so that oppressed persons can better fit into it; (3) contributing to a total transformation of society.” The housing rights initiative falls within category (2) -- attempts to modify or reform the existing system. While a full transformation of society is most desirable, category (3), I am not suggesting that the efforts made in the housing rights initiative will have any measurable impact in this regard. However, it is hoped that all steps to address oppression will create momentum for change, which will eventually lead to a more equal and just society.

Although Mullaly (2002) states that structural oppression today is mostly covert, and not overt, it is interesting to note that the housing rights coalition is attempting to address housing discrimination that is in fact overt, as it is based on an actual law. This, despite the fact that equality is enshrined in the Constitution of Canada through

the *Canadian Charter of Rights and Freedoms*, which in any case, in practice, is not sufficient in and of itself to bring about a realization of social equality among disadvantaged groups.

One form of analysis that needs further attention is the intersectional nature of oppression. Often, oppression is multilayered, and an individual is not simply oppressed by, for example, his or her 'race', but also by other marginal social locations such as gender, residency status and class. Further research into the lived experiences of refugee claimants in Canada would be useful in unpacking and highlighting how intersectional oppressions combine to produce more marginal social locations as they relate to housing.

Baines (2007), Bishop (1994) and Mullaly (2002) all offer a critique of contemporary capitalism, which is based on competition and is linked to oppression. Mullaly (2002), cites the work of Gil (1998) who suggests that oppression is not simply part of human nature, as some would suggest, but instead that oppressive social structures have only been a significant feature of human societies for the past 10,000 years, which is set within a 300,000 year history of human existence. Likewise, Bishop (1994) suggests that the first archeological evidence of competitive societies only date from 3500 BCE, whereas the history of humans living together in groups, making art and using tools, reaches back to at least 35,000 BCE.

Concluding Remarks

It is unfortunate that at the time of this writing, the media launch for the housing rights initiative has not yet taken place. As Fo Niemi has said, the media always want to know “Why now?”, and Brager, Specht and Torczyner (1987) write that timing is always a tactical consideration, no matter what the mode of intervention. Several dates for a media launch have been chosen, and then abandoned. A slogan for the media release has even been created -- “Un Toit Un Droit! / One Roof One Right!”. Although CRARR has yet to set a final date for the launch, I am anticipating it will occur in the near future.

Brager, Specht and Torczyner (1987) write about how commitment among organizations involved in a coalition range from the symbolic to the intense and concrete. In terms of the housing rights coalition, most agencies have had a more symbolic involvement than intense and concrete. Most agencies supporting our initiative didn’t respond to our request about their preferred media launch mode (ie a press conference; a media release, to be attended by select members of the media; or a posting of the joint statement on agency websites), and those that did respond opted for a more passive type of involvement (i.e., agreeing to sign the declaration, which would be publicized and released to the media by CRARR).

It is CRARR’s hope that through continued contacts with agencies serving refugee claimants (i.e., ROMEL, the TCRI and the Committee to Aid Refugees), that the voices of refugee claimants themselves will be heard at the media launch. In this way, the dialogue about human rights will not only be exercised by the coalition leaders, but also by those directly affected by the housing rights violation.

Brager, Specht and Torczyner (1987, p.308), in talking about researching the target of the social change efforts, note that it is important to ask: “Who makes the decision regarding the desired change? What rewards or punishments will impel the decision makers to make the change? What is the basis, or sanction, of the current policy?”. The target of the social change effort is, of course, the Quebec government, who enacted the social housing legislation and who has the power to change it.

The strength of our argument made to the Quebec government is its appeal to the various domestic and international human rights agreements, and that not acting to change the social housing legislation amounts to a continued disregard of these agreements. Appealing to these agreements raises fundamental questions of equality and social justice, and the need to uphold the dignity and worth of all individuals, including refugee claimants. These are values are at the core of the social work profession as well as those held by members of the coalition.

For the roughly fifty per cent of refugee claimants who receive a positive decision from the Immigration and Refugee Board, and for those refugee claimants who continue to live in housing that is not affordable, well after the approval of their claims, the right to social housing subsidies would make a strong contribution towards their economic and social well-being. This step in furthering the rights of refugee claimants may also, hopefully, generate momentum leading to additional social rights for refugee claimants that would, together, serve to create a more humane and welcoming environment for those who arrive in Canada seeking refuge from persecution.

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