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## Points of Exclusion: Black Caribbean and South/Southeast Asian International Student Graduates Navigating Structural Barriers in the Canadian Express Entry System

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**ABSTRACT:** *Since the 2010s, Canada's federal and provincial governments have introduced immigration and labor policies to compete in the global race for skilled talent, including international student graduates (ISGs). This paper shows that Canada's color-blind immigration framework produces discriminatory and structural barriers for Black Caribbean and South/Southeast Asian ISGs navigating post-graduation pathways to permanent status. It reveals intersectional inequities within the Express Entry System for skilled workers, including ISGs. The respondents' transcripts highlight oppressions tied to age, marital status, immigrant "otherness," and gender identity, alongside structural barriers such as repeated language testing, intense competition, and the randomized or opaque nature of the Comprehensive Ranking System (CRS) draw process. These factors shape their immigration outcomes. The paper concludes that the opacity of the Express Entry selection mechanism illustrates how race-neutral policy discourse masks racialized logics of exclusion embedded in immigration policies that reproduce systemic inequities while presenting themselves as objective and merit-driven.*

**Keywords:** Canada, Citizenship pathway, Color-blind racism; Higher education, Racialization.

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## Introduction

During the past four decades, the increasing integration of global economic systems has prompted immigrant-receiving countries in the Organization for Economic Co-operation and Development (OECD), including Canada, to develop increasingly competitive immigration regimes as a strategic response to global labor market demands and economic restructuring (Abdulazeez et al., 2025; Hawthorne, 2018; Mahboubi, 2024; Robertson, 2013). As the immigration policy landscape becomes increasingly competitive, some countries have positioned themselves within a “global race for talent”, actively crafting strategies to attract and retain individuals with specialized skills (Hawthorne, 2018; Mahboubi, 2024; Shachar, 2006:152-153; Ziguras & Law, 2006). In recent decades, immigrant-receiving states have shifted from exclusively designing immigration programs to fulfilling domestic/national and economic objectives toward participating in interjurisdictional competition to actively attracting the world’s most skilled individuals (Bakhshalizdeh, 2025; Kaur & Mehra, 2025; Hawthorne, 2018). The “talent-for-citizenship exchange” dimension of this immigration policy framework in Canada and other OECD countries not only seeks to secure economic advantage but also offers prospects of permanent residency in the host nation to individuals and their families, thereby embedding talent acquisition within broader national development strategies (Hawthorne, 2018; Shachar, 2013:91; 2006:176).

Since the 2010s, Canada’s federal and provincial governments have progressively implemented immigration and labor policies that position the country within the global race for skilled talent, with a particular emphasis on attracting and retaining international student graduates (ISGs) (Williams et al., 2015). The initial phase of this “race for talent” approach included the Canadian Experience Class (2010–2015) (Shachar, 2013:91; 2006:152-153). In 2014, the federal government launched its International Education Strategy, which aimed to double the number of international students in Canada—from 231,131 in 2011 to 450,000 by 2022 (Government of Canada, 2016; Legusov, et al., 2023). By 2019, the number of international students in Canada had tripled, reaching approximately 642,000 (Firang & Mensah, 2021). This growth positioned Canada as the third most popular global destination for students pursuing postsecondary education (PSE), following the United States and Australia (Firang & Mensah, 2021; Kaur & Mehra, 2025). Upon completing PSE, ISGs become eligible for a Post-Graduation Work Permit (PGWP), provided they have completed a degree or diploma program of at least 24 months in duration (Government of Canada, 2018). The PGWP allows them to enter the labor market within three months of

graduation. Current Canadian immigration policy discourse assumes that this pathway will enable ISGs to secure at least two years of skilled employment—satisfying eligibility requirements for permanent residency through the federal Express Entry system, Canada’s flagship economic immigration program (Legusov, et al., 2023). However, contrary to policy discourse that assumes a relatively quick acquisition of permanent residency by ISGs (Legusov et al., 2023:257-258), their postgraduation transition reveals the structural barriers faced by applicants to the Express Entry.

This article draws on interviews with Black Caribbean and South/Southeast Asian ISGs, including key informants in the immigration policy circle from a larger Ontario Graduate Studies-funded study, to illustrate that the Express Entry system produces discriminatory and structural barriers for ISGs in their postgraduate transition in Canada. The paper exposes intersectional oppressions related to age, marital status, immigrant “otherness,” and gender identity, as well as structural barriers associated with official language proficiency reassessment, competition, and the randomized or opaque nature of the draw process within the Express Entry Comprehensive Ranking System (CRS), all of which structure the immigration experiences of ISGs navigating pathways to permanent legal status. As I have indicated elsewhere, the postgraduate transition for ISGs involves multiple processes, including but not limited to labor market access, immigrant networks, and the development of social capital (Ellis, 2023; 2019). In this paper, I will focus on the barriers they face as they maneuver through the skills-based immigration system. The paper is organized in the following sections. The first section commences with a discussion that situates the study from the perspectives of intersectionality and color-blindness. The method of data collection and analysis is also described, and the data are presented, illustrating the intersectional and structural barriers experienced by ISGs on the Express Entry system.

## **Theoretical Framing for the Study**

My study draws on the perspectives of intersectionality (Cho et al., 2013; Collins, 2017; Crenshaw, 1989; 1991) and colorblind racism (Bonilla-Silva, 2014; 1997) to make sense of the multiple forms of oppression in their postgraduation experiences to permanent residency via the Express Entry system. Since its advent in the 1980s as a respected analytical framework, intersectionality has meandered beyond its origins in critical legal studies to examine social justice and inequality across multiple scales and interrogate intersecting social categories – such as race, gender, class, and nationality – across a wide range of academic disciplines (Collins, 2017; Cho et al., 2013:786; Runyan, 2018:11; Stasiulis et al., 2020; Tungohan, 2020:1). Intersectionality acknowledges the interconnectedness of social locations, focuses on our political and social differences and identities, and often helps to reveal processes or forms of oppression that are hidden in both state policies and social relationships (Collins, 2017; Cho et al., 2013; Gao, 2026).

The intersectionality perspective provides a framework for recognizing that everyone exists within multiple social categories—such as gender, social class,

and sexuality (Crenshaw, 1989, as cited in Phoenix, 2008:23). These different axes of oppression and discrimination shape a person's identity and often reinforce one another, meaning that each must be individually examined to fully understand systemic inequities. Overlooking any one dimension weakens the overall analysis (Davis, 1981; Monture-Angus, 1995). Importantly, these identities not only coexist but also play a role in sustaining and reproducing systems of oppression.

Intersectionality considers the interlocking nature of multiple social identities and how they interact, particularly within societal institutions, producing varying constructions, realities, experiences, and meanings across different ethnicities (Gunaratnam, 2003:139; Runyan, 2018). Anti-racist feminist scholars also engage in critical analysis of the experiences of racialized middle-class immigrant women navigating state/societal institutions, indicating how their lived experiences conflate with several dimensions of gender to produce an experience that varies from white women belonging to the said social class (Abu-Laban, 1998; Stasiulis & Bakan, 2005; Tungohan, 2020). Anti-racist and anti-colonial scholarship also contends that the analysis of the racialized and sexist discourse characterizing the intersectional experience and social locations of women varies across geographic borders. Accordingly, the outcomes that individuals experience are unequal since they are shaped by class and race oppression across diverse social locations (Collins, 2017).

Rather than treating intersectionality as a descriptive narrative of multiple identities, this paper engages it as an analytical framework for understanding how structures and policies produce differentiated outcomes. Consistent with Hancock's (2007; 2019) approach, the paper treats intersectionality as a methodological and analytical lens that examines the norms or assumptions embedded in public policies and how interconnected power relations produce differentiated and unequal policy outcomes in society. From this standpoint, Canadian immigration admission policies function less as a neutral assessment mechanism of applicants' merit and more as a governance tool that institutionalizes embedded assumptions or judgments about who is desirable, productive, and legitimately belonging to the nation. Additionally, the paper draws on Cho et al.'s (2013) formulation of intersectionality as institutional interweaving, which shifts focus from analysis based on multiple relevant identities to how institutions—for example, immigration policy, language assessment systems, postsecondary education structures, and the labor market—work together to reproduce and maintain inequity. Therefore, differentiated outcomes and disparities do not emanate from a single institution but are rather experienced as the result of the coordinated operation of immigration systems, credentialing structures, and labor markets that cumulatively maintain exclusion.

The color-blind ideology assumes that discriminatory practices based on phenotypical features, skin color and "racialized social systems" are no longer relevant and do not adversely influence the experiences or outcomes for people who are racialized in contemporary society (Bonilla-Silva, 1997:467; 2014). Critical scholars argue that color-blind racism enables society and its institutions to explain, justify, and interpret the systemic disadvantages and realities faced by

racialized groups in nonracial terms or in ways that deny the role of race (Aranda & Vaquera, 2015; Bonilla-Silva, 2014). As Bonilla-Silva (2014:8) suggests, such discourse allows for the continuation of “racism without racists,” where structural inequities persist under the guise of neutrality.

Bonilla-Silva (2014:8) contends that racial discourse and the hierarchical ordering of racialized groups construct a “social reality” in which individuals are positioned unequally, a dynamic rooted in White supremacy, and I might add, settler colonialism. Critical scholars further argue that while white supremacy and settler colonialism continue to shape social relations, contemporary critiques often fail to interrogate these projects with the same force as they did before the US Civil Rights Movement of the 1960s (Bonilla-Silva, 2014). Consequently, dominant policy discourses in both the United States and Canada frequently dismiss race as a central organizing principle of society, suggesting that it no longer holds relevance (Aguiar & Marten, 2011; Bonilla-Silva, 2014). As a result, the ongoing manifestations of racial hierarchies and White supremacy, including the settler colonial project in Canada, remain obscured and distorted. It is my position that racist and exclusionary ideologies and discourse are rooted in Canada’s skills-based immigration; therefore, a color-blind prism is important for interpreting the exclusionary practices of ISGs in Canada.

Using an intersectional prism that emphasizes how structures and policies produce differentiated outcomes, Canada’s Express Entry system illustrates how criteria within the current immigration regime—often presented as color-blind, such as age, official language proficiency, marital status, and work experience—interact with processes of racialization, migration histories, and asymmetrical global labor and education systems. This points-based system selects applicants who barely satisfy the profile of the ‘ideal migrant’ while disproportionately producing barriers for Black Caribbean and South/Southeast Asian ISGs. Intersectional analysis shows that contemporary Canadian immigration programs lack neutrality and reproduce disparities across multiple social locations (Tungohan, 2020). The literature further contends that “ostensibly” color-blind or universalist policy frameworks obscure the disproportionate effects of state decision-making and ultimately “reinscribe social inequity” (Collins, 2017:1464). By scrutinizing policy design and the interaction of multiple domains, this intersectional prism reveals how assumptions of neutrality mask the structural inequities entrenched in contemporary Canadian immigration regulations (Hancock, 2007; 2019). Therefore, an intersectional lens is useful for understanding the experiences of racialized ISGs as they navigate pathways to permanent residency through policies frequently characterized as immigrant-friendly or welcoming.

Although contemporary immigration regimes are often packaged and presented as race-neutral, an intersectional analysis exposes how color-blind discourse masks and reproduces fundamental structural inequities. In this study, Bonilla-Silva’s (2014) perspective of color-blind racism illustrates how immigration systems, while presented as neutral and merit-based, nonetheless perpetuate racialized manifestations of exclusion. For example, ostensibly neutral criteria such as age, language proficiency, and foreign work experience often

disadvantage immigrants—particularly women and racialized groups—originating from the Global South, as they already confront systemic forms of exclusion in both education and the labor market (Douglas et al., 2015). These criteria, albeit portrayed in neutral or procedural language, make the systemic barriers for racialized groups more acute and, in so doing, underscore the exclusionary outcomes under the appearance of meritocracy (Aranda and Vaquera, 2015). Thus, the color-blind framing of the immigration regime not only obscures its racialized underpinnings but also actively reproduces and sustains inequalities across multiple relevant identities (Bonilla-Silva, 2014).

## **Method of Data Collection and Analysis**

The data for this paper are drawn from a larger Ontario Graduate Scholarship-funded study conducted between September 2017 and December 2018. Semi-structured interviews were used to gather data regarding the postgraduate career and immigration transitions of ISGs in Canada. Interviews offer respondents the liberty to express themselves and share their experiences navigating Canada's immigration system. Interviews consider the power relations that characterize the research process, so the data collection method enables respondents to actively influence the research process (Luttrell, 2010). Interviews, and not questionnaires, were considered for this study, as the in-depth and conversational nature of this data collection method provides both participants and researchers with the opportunity to explore tangential issues that might otherwise be overlooked (Luttrell, 2010:261). Interviews enable the researcher to generate data that can be presented through rich, detailed accounts. Such a thick description strengthens the credibility of the findings by situating participants' narratives within their social and contextual realities, allowing their experiences and meanings to be more fully understood (Lincoln & Guba, 1985; Younas et al., 2023).

Data were obtained from respondents, including ISGs and key informants. The inclusion criteria for ISG participation in the study required individuals to self-identify as Black or South/Southeast Asian graduates from a publicly funded PSE program in Ontario, Canada, lasting at least 24 months between 2013 and 2017. Nine Black Caribbean and nine South/Southeast Asian respondents were contacted. They are now located in densely populated cities across southern Ontario as well as in sparsely settled cities/towns in northern Ontario and in more distant locations, including Saskatoon, Saskatchewan and Dartmouth, Nova Scotia.

The inclusion of key informants adds value to the study because of the knowledge vantage points they occupy within communities of practice (Marshall, 1996). Key informants serve as natural observers, providing insights into hidden social processes within communities of practice (Marshall, 1996). In my study, key informants who were called upon to provide informed expertise on the transition of ISGs navigating the immigration policies included an immigration consultant, two immigration lawyers, a federal member of parliament, and a

human resources recruiter. Convenience sampling was used to recruit ISGs, as it allowed for relatively quick access to these respondents, who are difficult to reach after exiting educational institutions (Etikan, et al., 2016). Etikan et al. (2016:2) note that this sampling method is effective for recruiting potential participants located near data collection sites. A call for participants was placed in specific community and religious organizations across the Greater Toronto and Hamilton Area (GHTA), and ISGs who satisfied the study criteria were interviewed. Key informants were also selected and interviewed based on their knowledge and experience offering immigration and settlement services in Canada.

The recorded, 30- to 90-minute semi-structured interviews were conducted either in ISG's homes or in public spaces where the conversations were private. To compensate for scheduling conflicts between the researcher and respondents, 12 of the 18 interviews with ISGs were conducted via Skype, and the remainder, along with key informants, were conducted in person. The study incorporates member checking as a strategy to enhance credibility, trustworthiness, and methodological rigor (McKim, 2023). To verify the accuracy of the data and the researcher's interpretation of participants' perspectives, interview transcripts and preliminary estimates of express entry points were shared with participants, who then confirmed the information or provided their actual points for clarification. Participants' identities are protected through the use of pseudonyms and, wherever feasible, by anonymizing the names of their institutions. Themes emerged from a detailed analysis of the collected data. Secondary sources were reviewed to examine language use and situate the findings within the broader context of Canada's immigration history and the representation of immigrants in Canada. These sources included government reports, media coverage, and online publications.

## **Systemic Forms of Oppression in the Express Entry**

An analysis of the Canadian Express Entry system reveals structural oppression along the axes of age and marital status/common law union, as the immigration points scheme appears to be more favorable toward applicants in my study who are younger and unmarried. The younger the applicant is, the more points he or she is eligible to receive (see Table 1). The applicant also loses points as he or she matures in age. Furthermore, with two applicants of equal age, applicants who are married or in a common law union receive fewer points than single status applicants. For example, Nyesha and Kirk, who applied as a common law unit, would receive 10 points less than the maximum 110 points to which Navdeep, Zacchaeus, Bhushan, and Lydia and other single status applicants in the 20-29 age cohort are entitled (See Table 1). Likewise, a married applicant, for example, Imelda, at age 34, would receive 73 points, which is 8 points fewer than a single male applicant (Sacchin) who is equal in chronological age (See Table 1). Another participant, Pranavi, along with her husband, who also applied for the Express Entry, was awarded 50 points, 5 points less than single applicant Huang

(Hilene) at the same age. It is also important to note that the disparity between the two cohorts of applicants in my study concerns increasing age.

Presumably, the premium on youth has to do with the fact that younger applicants have more years of labor to contribute to the economy without a draw on subsidized health services. However, this pattern raises questions about the structure of the Express Entry system. Why is it that the system awards fewer points to younger and single applicants, assuming declines of five points per year, even in the productive years of 30-45? Additionally, why is marital status accorded fewer points? Does it have to do with an assumption that having children might be a burden on the state? I suggest that this not a “neutral” economic rationale as seen in Table 1.

Table 1: Eligible Points awarded by Age and Marital Status in the Express Entry’s Comprehensive Ranking System (CRS)<sup>1</sup>

Age (in Years)	Participant(s)	Family	Points Loss from Max.	Participant(s)	Single	Points Loss from Max.
<18		0			0	
18		90			99	
19		95			105	
20-29	Nyasha Kirk	100	0	Navdeep Hortense Zacchaeus Bhushan Khoshing Lydia	110	0
30		95		Bernadette	105	5
31		90			99	11
32		85		Chevon-Marie	94	16
33		80			88	
34	Imelda	75	25	Sacchin	83	27
35		70		Jerome Dimple	77	33
36		65			72	
37		60			66	
38		55		Gurratan	61	49
39	Pranavi	50	50	Huang (Hilene)	55	55
40		45			50	
41		35			39	
42		25			28	
43		15		Giang (Daisy)	17	93
44		5			6	
45+		0			0	

Points Max. = Points Maximum

<sup>1</sup> The data in the table was constructed using the interview data gathered from individuals who applied to the points system. I first estimated the points based on interview data, then followed-up with the participants who confirmed and shared their actual points earned in each category.

From a critical perspective, how valid is it to assume that older married workers are less desirable? They will also have taxable incomes that will contribute to the Canadian economy. Younger immigrant workers are also perceived to be healthier and less reliant on the health care system (and the broader welfare state). Thus, they are assumed to be less likely to place a burden on the health care system. However, is that accurate and fair? Likewise, this points system assumes that applicants with families will put a burden on state resources, while the Canadian-born may be rewarded for having children.

Analysis of my dataset reveals that the current point allocation system compounded disadvantages for ISGs, particularly where age, immigrant ‘otherness’, and foreign work experience intersect, thereby limiting their ability to maximize their overall scores. Originating from Vietnam, the excerpt from 43-year-old participant Giang (Daisy), who considered another immigration program after unsuccessfully applying to the Express Entry, remarked:

“I was in my late thirties when I came to school in Canada... I had more than 10 years of experience working in the field of education, but... the Express Entry did not give much points to people who are close to 40 years of age. ... I know that I would have been dinged in regard to points for age... because I am an immigrant. The system should not just disregard this work experience from my home country. It must be fully accounted for in the immigration system.

Pranavi, another female ISG participant from South/Southeast Asia, also shares a similar experience:

“I realize it did not give me many points. ... I am too old. I am now 39. ... and when I checked how the points [system] work ... it would not give me the maximum points available in the age category. ... [It] awarded me 25 out a possible 50 points for all the years [that] I spend dispensing loans in a microfinancing organization... and I needed all that points to maximize my scores, right?

Structural oppression also exposes a major inconsistency in the way skills are valued. The Express Entry invites racialized immigrants to apply for citizenship on the basis of their education, skills and other criteria. However, the immigration regime fails to account for the value that skills gained with age. Thus, the system is structured to discount points based on age relative to expertise or skills. The excerpts also underscore the findings in the literature, locating discriminatory practices and limitations at the heart of Canada’s skills-based immigration regime (Zhang et al., 2023; Tungohan, 2020). These policies function as regulatory mechanisms that shape immigrant flows while undermining the value of “public education provision” (Tannock, 2011:1330). In doing so, the policies unfairly contribute to the construction of a secondary tier of so-called “low-skilled” immigrants in the host country (Bannerjee et al., 2024; Bauder, 2006; 2003; Boucher; 2020; Sharma, 2006; Tannock, 2011:1330; Thomas, 2020).

Key informants within Canada's immigration policy circles also critique the points-based immigration system, highlighting how its emphasis on factors such as age and immigrants' foreign work experience reinforces discriminatory outcomes—an issue exemplified by the experiences of the two ISGs discussed above. Corinne, an immigration consultant in Toronto, pointed out the closures in the points-based system:

“I don't know anyone at the age of 20 or 21 who also possesses 10 years of experience in their field. However, the Express Entry is flawed... and contradictory. Canada wants immigrants with experience ... However, you have to be older to possess lots of experience...but if you are older, not only do you not get points... You also lose points. ... For many international students, this acts as a barrier to earning enough points. In addition, after years, paying school fees, and realizing that they cannot amass enough points to meet the residency requirement, many return to their home country.

Kinder-Morgan, a federal politician, also underscores the disadvantages that ISGs face and advocates for more equitable policies:

“After 35 years of age, you are considered truly old, and so you are not getting any points truly. ... These foreign applicants are usually at the height of their careers between 35 and 40 years of age. They would have invested a lot of time and money in their career. ... The immigration policy targeting international students needs to be revamped and made much clearer to applicants ... It should not just be about the Canadian [postsecondary] institutions taking their tuition. ... The immigrant community helped to build our nation ... and we need to learn from our historical past, recognize their contribution ... inject some humanity into the program ... and open our policies to reflect that.”

The excerpts not only highlight the systemic oppression experienced by ISGs but also demonstrate how state policies intertwine with factors such as political economy, cultural/racial background and country of origin as determinants of permanent admissibility of nonwhites, a reality rooted in Canada's historically racist past (Crenshaw, 1989; 1991; Davis, 1981; Monture-Angus, 1995; Calliste, 1994; 1993). Drawing on intersectionality (Hancock, 2007; 2019; Crenshaw, 1989), these findings reveal that ISGs' experiences cannot be interpreted through single-axis frameworks; rather, overlapping structures of inequality compound their marginalization. This dynamic also reflects Canada's history of exclusionary immigration practices while exposing how contemporary policy frameworks continue to perpetuate or reproduce historical or structural inequities through ostensibly neutral mechanisms of selection.

In my data set, the intersection of gender identity, age and foreign work experience also exacerbates the structural disadvantage encountered by ISGs within Canada's Express System. Like 43-year-old Giang (Daisy) and 39-year-old Pranavi, 39-year-old Huang (Hilene), another female South/Southeast Asian participant, despite possessing graduate credentials (a Master of Business Administration) from a reputable Canadian postsecondary institution and work

experience in her home country, had a considerably lower score than other applicants (for example, Jerome, 35 and Gurratan, 38) because her prior expertise was not fully recognized (See Table 2).

Table 2: Points for Select Black Caribbean and South/Southeast Asian International Student Graduate Participants on the Express Entry System

	<b>Max. Points (Daisy)</b>	<b>Giang</b>	<b>Pranavi</b>	<b>Bernadette</b>	<b>Navdeep</b>	<b>Jerome</b>	<b>Huang (Hilene)</b>	<b>Gurratan</b>
<b>CORE FACTORS (A)</b>	<b>500</b>							
Age	110	17	50	105	110	94	55	61
Level of Education	150	135	126	135	120	120	135	135
Official Lang. Proficiency	160							
- First Official Language	136	64	64	124	124	92	92	92
- Second Official Language		24						
Canadian Work Experience (B)	<b>80</b>	53	35	53	53	53	53	53
<b>Spouse/Common Law (B)</b>								
Education			6					
Spouse work experience			3					
Canadian work experience			0					
<b>Skills Transferability Factor (C)</b>	<b>100</b>							
Education	50	25	25	25	50	25	25	25
Foreign work experience	50	25	25	50	0	50	25	50
<b>Additional Points (D)</b>	<b>600</b>							
Sibling in Canada (Citizen or or Landed Resident)	15							
NCL... 7 or higher on French language test...	15	0	0	0	0	0	0	
NCL...	30							
Post-secondary – two years	15	15	15	15	0	0	15	15
Post secondary - three or more	30				30	30		
Arranged Empl. – NOC 00	200							
Arranged Empl. – NOC 0, A or B	50							
Provincial or Territorial Nomination	600							
		<b>336</b>	<b>349</b>	<b>507</b>	<b>487</b>	<b>460</b>	<b>400</b>	<b>431</b>

As Huang (Hilene) shares, “it did not matter the corporate or professional work that I did before arriving in Canada; it was not reflected in the system”. These realities for applicants underscore how this and previous regimes of the points system place a low premium on ‘foreign’ experience while ascribing a higher premium to expertise obtained in Canada (Bauder, 2006). This reflects Canada’s historically racist practices, where the policies disproportionately disadvantage nonwhite immigrants from the Global South (Boucher, 2020; Tannock, 2011), while age-related point deductions overlap with gendered expectations of career trajectories, compounding the disadvantage for women who might be perceived as entering the labor market late due to caregiving responsibilities. When examined through an intersectional prism, the immigration policy functions as more than just a mechanism for regulating entry; it determines whose skills and knowledge (human capital) are perceived as valuable, thereby perpetuating hierarchies not only based on immigration status and race but also

gender (Bannerjee, et al., 2024). In this manner, the skills-based immigration policy illustrates how color-blind policy discourse conceals exclusionary practices while normalizing inequity within federal immigration regimes.

### **Official Language Proficiency, Competition and the Opacity of the Draw Process within the CRS**

My conversations with ISGs and key informants point to another rigid component of the Express Entry system, whereby applicants can only increase their point allocation through multiple attempts at reassessing their official language proficiency. Although recent language proficiency recertification policy changes indicate that certain PGWP holders from Canadian institutions and applicants with Test of English as a Foreign Language (TOEFL) scores may be exempt from further English language testing, the IRCC has not yet clarified the implementation process (Rodrigues, 2025). Nevertheless, an important component of the points scheme remains the official language proficiency requirement (in this case, English) that applicants are expected to satisfy. Whereas ISGs may have earned a favorable grade on the language proficiency tests administered by the International English Language Testing System (IELTS)<sup>1</sup>, the Canadian Language Benchmark (CLB), which measures linguistic ability, is the state's tool for evaluating official language proficiency in the areas of reading, writing, speaking and listening. It establishes and converts the IELTS scores once they are entered by applicants into the CRS. This section of the merit-based system awards scores for CLB passes ranging from a minimum of 4 or 5 (IELTS 4.5 or 5.0) to a maximum of 10 (IELTS 9.0+ or the equivalent of 24 to 136 Express Entry points, respectively). However, ISGs shared that they had successfully written the English language proficiency test multiple times. When interrogated about the rationale for so many rewrites, Bains—who sat the test three times and ultimately achieved the maximum score of 9.0 on the IELTS (See Table 2)—explained:

“I did the English [language proficiency] test like three times to achieve the highest number of points. The minimum score of 4 or 5 ... will give you some points. However, if you want maximum points possible, you need to earn the maximum mark... It was the only way to raise my points [as] the other criteria are fixed. ... I cannot change my one-year or two years of work experience ... That was the only way to raise my score.”

Bernadette, a Black Caribbean participant from Jamaica, also shared a similar rationale, including her frustrations:

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<sup>1</sup> The IELTS is one of four accepted language tests accepted by Immigration, Refugees and Citizenship Canada (IRCC). The others include the Canadian English Language Proficiency Index Program (CELPIP), the Test d' évaluation de français (TEF Canada), and the Test de connaissance du français (TCF Canada).

“I wrote the test on more than one occasion... and it is not that I did not pass on my first attempt. I wanted to increase the scores that I received, as points awarded for other criteria in the points system do not give applicants much wiggle room to increase those scores... I had to pay \$300 to do an English proficiency test. Although I did two years of graduate studies in Ontario. I also taught... and provided feedback to students in a first-year level course... I came from a country where English is the official language... and yet I had to write an English language proficiency test... It did not make sense.”

Corinne, in her practice, also observed similar limitations that structure the immigration process for applicants, including ISGs:

“I see the points system as a competition... largely responsible for screening international students out of the immigration process. ... You cannot change your age, for example. ...For most applicants that I work with, language proficiency is the only variable that can be changed in the comprehensive ranking system (CRS)... and repeatedly sitting on the language proficiency test is one thing that low-scoring applicants may be able to use to improve their scores.

Individuals who gained a perfect score in the language proficiency tests might be able to distinguish themselves from other applicants and increase the number of points awarded, albeit minimally. However, the requirement that applicants, including ISGs from countries where English is the primary language of instruction, must pay fees to sit English proficiency tests under the Express Entry system raises significant equity concerns. If cost is used as a proxy for class, an intersectional analysis reveals that the language testing requirement unduly disadvantages poor, racialized individuals from non-Western countries who are already burdened with significant financial obligations (Crenshaw, 1989; Aranda & Vaquera, 2015). Despite being positioned as a meritocratic barometer of language competency, this requirement reinforces systemic inequities by diminishing the legitimacy and credibility of the educational credentials and linguistic practices of racialized groups while placing greater value on those associated with Western or Canadian mainstream norms (Bonilla-Silva, 2014). Additionally, my racialized participants face class-based challenges that are exacerbated by the financial burden of repeatedly paying for English language proficiency assessments, which intensifies their marginalization. An intersectional analysis highlights that these language requirements are not solely about verifying proficiency but rather about determining whose cultural and linguistic knowledge is deemed legitimate. In this way, the immigration regime functions as a mechanism of control, disguising and perpetuating racialized hierarchies under the appearance of fairness and equality (Sharma, 2006).

While the points system is championed for its built-in-meritocracy, the Express Entry provides some insight into the competition and the tie-break mechanism or the broader opacity of the draw process that characterizes the CRS system. In a conversation with Sebastian, an immigration lawyer in Toronto,

regarding the structural challenges in the points system, he raised concerns about the significance of the meritocratic feature of the Express Entry stream. As he puts it, “merit and points do not get you into the promised land called Canada”, indicating arduous and ambiguous features of the points system and the uncertainty that characterizes the transition for ISGs in Canada. In other words, the application for permanent residence does not guarantee automatic selection or an invitation to apply (ITA) for Canadian permanent residence. On the Immigration, Refugees and Citizenship Canada (IRCC) website, each person immigrating via the Express Entry stream is directed to submit a completed online profile to the CRS. This system evaluates and “ranks” the applicant in a ‘pool’ based on an aggregate number of points earned based on the migrant’s skills, education, language proficiency, and professional expertise, among other criteria (Government of Canada, 2017). As of the time of research and writing, the system, on a bi-weekly basis, issues ITAs for permanent residency. Most participants in my study, based on their own experiences, contended that the Express Entry process represents an inequitable and unmeritocratic mechanism for selecting skilled immigrants. Participant Sebastian further noted, “When you have qualifications, it does not put you any further ahead in the queue. You are placed into a pool with other applicants, and there are many good ones with a significantly higher number of points.” ITAs are issued from the highest CRS scores downward, with randomness in the tie-break. Therefore, Sebastian likens the process to “playing the lottery” because the point threshold required for selection fluctuates from one round of draw to the next. The immigration consultant Corinne agrees that the draw from the pool, which signifies that the applicant is eligible to apply for permanent residency is “unpredictable” with a threshold that varies. Consequently, this speaks to structural inequities that ISGs confront in the transition process.

The uncertainty surrounding the transition, together with the volatility of the points-based system, raises important questions about policymakers’ intent and exposes the contradictions embedded within what is framed as a meritocratic mechanism for immigrant selection. Why did the state opt for a points-based system that, in practice, resembles or operates like a lottery in terms of selecting applicants? Why the use of points and numbers? This is consistent with Bonilla-Silva’s (2014) argument that points out how institutions, and in this case the IRCC, deploy a “color-blind” discourse to understate the significance of inequitable outcomes, including racism. Arguably, using an opaque draw process for selecting applicants, the details of the process become obscure. The literature also cautions us about the subtleties of contemporary racial discourse, which often operates under the guise of race-neutrality while obfuscating the institutional and structural foundations of inequality (Bonilla-Silva, 2014). In the context of Canada’s Express Entry system, this logic of color-blind meritocracy is evident in the emphasis on supposedly objective measures—for example, age, language proficiency, and prior work experience—that appear to be symmetrically applied to all applicants. However, these criteria reproduce systemic disadvantages without considering the racialized barriers that structure access to educational and employment opportunities globally. For illustration, the devaluation of foreign

work experience and the penalization of older applicants disproportionately impact participants belonging to non-Western and nonwhite backgrounds. Thus, the Express Entry system illustrates how race-neutral policy discourse masks the racialized logics of exclusion (and/or inadmissibility) embedded in immigration policies, reinforcing systemic inequities while simultaneously offering itself as objective, efficient and merit-driven. This partly explains why the ISGs in my study find it difficult to be selected in the bi-weekly draws from the pool in the CRS.

## **Conclusion**

A significant contribution of this study is that it follows ISGs beyond their postgraduate transition to the point of engagement with the Express Entry. By focusing on this process, I have exposed the intersectional forms of oppression and structural barriers that ISGs confront on their postgraduate trajectories to permanent residency in Canada. In my study, participants experienced structural oppression where the variables of age and marital/common law union intersect, as the Express Entry awards more points to those who are single. Another point of exclusion for ISGs occurs where the variables of age, immigrant 'otherness' and foreign work experience intersect. The reality not only restricts my participants' ability to increase the overall points but also illustrates a significant contradiction in the way we value skills, particularly for immigrants in the Canadian context. The experiences of ISGs navigating the Express Entry system confirm the discriminatory practices embedded in the immigration regimes (Boucher, 2020). The participants' narratives also reveal the intense competition and the opacity of the draw, which is invitation-based and determined by CRS scores within the Express Entry system. Overall, the findings help us understand how the economic immigration program simultaneously functions as a regulatory mechanism for immigration and erodes the legitimacy of the public education provision.

Data provided by key informants in the immigration policy circle also reinforce the systemic oppression that my participants experience, where the variables of age and immigrants' foreign work experience intersect. Key informants also situated their experiences in the broader systemic challenges underlying Canada's immigration history and called for more socially just policies. The findings inform us that the experiences of ISGs within the Express Entry system lay bare exclusionary practices and the reproduction of long-established structural inequities mediated through a selection mechanism that obfuscates these underlying problems.

ISGs' interaction with the economic immigration program also points to a further compounded structural disadvantage at the intersection of gender identity and foreign work experience. The Express Entry not only causes participants to lose points but also has implications for women entering the labor market.

The discussion also explores the official language proficiency criteria of Express Entry to illustrate the rigidity of the policy. Official language proficiency

appears to be the primary criterion through which ISG participants can increase their point allocation. As indicated in the study, the language proficiency criteria in the points system disproportionately disadvantage racialized international student graduates (ISGs) and are weakly related to demonstrating actual language ability. The existing language recertification process places greater emphasis on validating culturally specific forms of capital valued in Canada. Therefore, a possible solution calls for a revision of the points system to eliminate this inequitable barrier that restricts the mobility of ISGs, including other cohorts of vulnerable applicants. The IRCC could also amend its regulations to provide greater support for applicants seeking to develop their language proficiency and prepare for language recertification. In addition, IRCC regulations should be better aligned and coordinated with postsecondary institutions to strengthen institutional capacity to both administer and deliver language proficiency testing and recertification in ways that meaningfully support immigrant applications. Lastly, the IRCC needs to consider establishing a quota system with transparent selection guidelines that reduce the intense competition and uncertainty associated with prolonged waiting periods for permanent residency. At minimum, this ensures that applicants are assessed in a more socially just and merit-based manner.

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