From Multicultural Differences to Different Multiculturalisms:
Locating Canada in International Debates on Gender, Antiracism and Human Rights

by

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State-sponsored multiculturalism has faced significant social and political challenges in recent years, resulting in the scaling back of most multiculturalism policies in Western nations in favour of more assimilationist models. Against the trend, Canada has remained firm in its commitment to its version of the policy, and continues to assert at a governmental level that multiculturalism is highly valued. This raises questions about why Canadian multiculturalism appears to have survived the challenges that are causing the collapse of other state-sponsored multiculturalisms.

The thesis suggests that multiculturalism policies contain foundational philosophies, which are informed by historical rationales that originally justified the creation of multiculturalism, many of which have competing goals. On one hand, multiculturalism contains aspects of systemic racism that are based in the way a nation has historically engaged with diversity; on the other hand, it is a policy designed to promote inclusive equality. These two principles manifest throughout the many rationales that created the policy. Canada’s capacity to balance competing interests within the policy has enabled Canadian multiculturalism to adapt to challenges in a manner that not all other multiculturalisms have been able to emulate.

Among other contemporary challenges, the charge has been laid against multiculturalism that it fosters the spread of excessively patriarchal cultures in liberal national spaces, and subsequently should be abandoned in favour of more assimilationist models that protect against gender abuse, and abuse of liberal principles of individual human rights. By carefully analyzing the foundational philosophies in contemporary Canadian multiculturalism, the thesis shows that in the Canadian case this charge is based on a number of inaccurate assumptions, which, once corrected, indicate that state-sponsored forms of multiculturalism may actually promote gender equality, as well as open increased avenues for advanced levels of cultural human rights. The thesis proposes a framework for advancing human rights through a fresh look at the individual rights versus group rights debate, and demonstrates how Canada is uniquely poised, through multiculturalism, to establish advanced access to equality and freedom of cultural practice for a diverse population.
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For Rowan and for Tara,
Without whom the work would surely have never been completed
All my love
Introduction to the Thesis:  
The Beginning of the End of Multiculturalism?

1.1 Introduction

Given contemporary challenges to multiculturalism in many Western nations, the following questions are raised: why is state-sponsored multiculturalism faltering in Europe and being scaled back in Australia in favour of a more assimilationist model, when the policy has continued to expand in Canada? Given this, what is it about Canadian multiculturalism that has led it to survive the cutbacks seen in other nations? And, what can Canada do to resolve the significant challenges multiculturalism faces in promoting the crucial but sometimes competing priorities of gender equality, integration and rights to cultural practice?

Much of the recent retreat away from multiculturalism can be traced to anxieties that the value systems of historically dominant groups – those that have predominantly formed the legal and social systems of the nations in question – are being eroded by contrary value systems imported under the auspices of cultural freedoms. In many instances, these anxieties have produced racist backlash couched in the language of heritage preservation. Because of the way the debate has developed, cultural freedoms for “ethnic” groups are positioned as the antithesis of other human rights, such as gender equality and protection from discrimination based on sexual orientation. This dichotomy has positioned multiculturalism as a policy incompatible with “traditional” Western value systems, leading Australia, Sweden, Britain, and the Netherlands to second-guess and scale back their policies. But what of Canadian multiculturalism, and its ongoing, strongly supported place in the national vision? As this thesis will demonstrate, there is no such thing as a single multicultural policy, even among state-sponsored versions of the concept, and that it is these crucial differences in policy choices that have led some nations to abandon official multiculturalism. Unlike the concluding rhetoric of many popular debates, it is not some fatal flaw in multiculturalism policy that makes it incompatible with gender equality which has caused nations to walk away from state-sponsored multiculturalism; it is instead a complex series of policy choices that have led some nations to develop failed
multiculturalisms, while Canada retains a functional (albeit imperfect) policy of diversity integration. As the thesis intends to show, multiculturalism and gender equality are not mutually exclusive; indeed, under the right circumstances, they may in fact be mutually reinforcing. However, it is these "gender versus culture" debates that must be combated if multiculturalism in Canada is to resist the public and political debates on the essentialized stereotype of patriarchally oppressive cultures that have assisted in the collapse of multiculturalism policies in other Western nations.

The thesis can be loosely divided into three sections: introduction and literature review, which comprise chapters one and two; the historical development of Canadian multiculturalism, beginning with early Canadian diversity in chapter three, and expanding in chapter four to look at the foundational philosophies of Canadian multiculturalism in comparison with those of other nations; and future challenges to multiculturalism in chapters five and six, which look respectively at gender and multiculturalism, and multicultural rights to freedom of cultural practice.

1.2 The Beginning of the End of Multiculturalism?

As the stability and security of many of the world's nations have worsened over the past five years, particularly in Muslim and multi-ethnic Western states, significant pressure has been placed on the ways in which these nations approach cultural, religious and demographic diversity. Hairline fractures in civil society have cracked wide to reveal racism, hatred and fear – conditions that both arise from and foster outbreaks of extreme violence. "Terror" attacks on civilian targets in Britain and Spain have created widespread anxieties that Western nations are no longer safe now that traditional battlefield warfare has given way to guerilla tactics that defy borders. The American-led invasion of Iraq against the will of the United Nations has not only increased "terror" threats throughout the world, but has also exacerbated long held frictions between Sunni and Shiite Muslims. Neither the UN involvement in Afghanistan, nor the extreme violence that has broken out across much of the Middle East, shows any signs of abating. Throughout all this, daily interactions between individuals of different ethnic and religious groups grow increasingly challenging, as people attempt to distance the individual of a different ethnicity on the bus next to them.
Chapter 1: *Introduction*

from the negative media images, racial fears and stereotypes that thrive in today’s geopolitical climate.

It is in this unstable atmosphere of heightened ethno-racial anxiety that the place of multiculturalism in Western societies has become increasingly contested. Due to immigration and asylum programs, in combination with pre-existent historical diversity, there are effectively no Western nations (and very few nations in the world) remaining that cannot be said to be in some way multicultural. But the scope of meaning in this term ranges from small scale demographic diversity in some of Europe’s less populous nations to Canada’s constitutionally empowered official multiculturalism. Currently, approaches to diversity in Western nations can be divided loosely into two categories: those with official multicultural policies, and those without – this second group representing the majority. In both categories, recent global politics have put pressure on countries already facing economic and demographic diversity challenges – the result being a widespread move in most Western nations away from multiculturalism and diversity and, as Christian Joppke and Eva Morawska term it, towards assimilation. This movement varies considerably, from soft scale encouragement of limited cultural adoption to promote unity, to large-scale redirections of multicultural policy in favour of laissez faire or cultural assimilation models.

There can be no doubt that state-sponsored multiculturalism worldwide is coming under fire. This trend has been identified by numerous scholars, many of whom produce highly similar lists of current events/scholarly contributions as evidence. In Britain, left leaning academics and right leaning government officials are in agreement that the policy needs to undergo serious revision, if not be replaced altogether. Trevor Phillips, Britain’s head of the newly established *Commission for Equalities and Human Rights*, has concluded that multiculturalism is serving to divide rather than unite communities, creating an environment of isolation and cultural ghettoization capable of fostering violence and even terrorism. While a supporter of multiculturalism in general, Steven Vertovec has recently criticized Britain’s multicultural policy for being ill equipped to address the conditions of what he has termed “super-diversity” that increased migration is bringing to the country.
In the Netherlands, a multicultural policy rapidly implemented in the early 1980s was scaled back in just over a decade, and has now become, as Han Entzinger describes, "an integration policy that in practice demands much more effort from the migrants than from the receiving population." This swift adoption and rejection of multiculturalism in the Netherlands was followed in the 1990s by an even more rapidly implemented and abandoned program of naturalization for ethnic minorities to hold dual citizenship. These experimental programs, as well as recent outbreaks of violence around Muslim culture in the Netherlands (including the highly publicized murder of filmmaker Theo Van Gogh), has led to ethno-cultural social unrest – an instability that many Dutch claim can only be solved with an assimilation approach based on the adoption of Dutch values. Sweden, which began with an advanced form of multiculturalism, has been overwhelmed with asylum seekers, and has watched its policy collapse into interracial violence, unequal housing and access to police protection, and ineffective administrative boards that have been unsuccessful at combating the increase of racism and interracial violence. In Australia, the Howard government has been progressively reducing the scope of multiculturalism, and directing what authority still resides in the policy towards promoting business advantages rather than advanced equality or social integration. In Canada, Neil Bissoondath has critiqued multiculturalism as a racialized system that forces non-white ethnic minorities to play up their ethnicity. Similarly, Himani Bannerji has claimed multiculturalism is no more than an attempt by a dominant white majority to retain authority by throwing a bone to ethnic minorities in place of genuine social justice. Christian Joppke and Eva Morawska claim that every nation currently employing some version of multicultural policy is currently withdrawing it in favour of increased assimilation – a word that two decades ago was considered extremely negative in many circles, almost akin to admitting a desire to enforce racism. There have even been scholarly attempts to recast the meaning of assimilation in a more positive, progressive way, such as the work of Rogers Brubaker.

Critiques of multiculturalism are nothing new; they have existed, and existed in force, since the idea of state-sponsored multiculturalism first began to circulate. There have always been those on both the political right and left, those in power and those outside...
power, who have opposed the implementation of multiculturalism for various reasons. What is different about these critiques from the right and left is that for the first time, much of their rationale for doing away with multiculturalism appears to be for the same reason – the belief that multiculturalism is responsible for the creation of cultural isolation and the prevention of social cohesion, which place all members of the nation at risk. United by a common logic, these critiques of multiculturalism are being heard, and more to the point, governments are acting upon them relatively rapidly, yielding to a combination of voter pressure and party politics. Two key questions come to mind given the situation: firstly, is multiculturalism really to blame for the problems of social isolation it is being credited with; and secondly, will such a rapid retreat from the policy solve the problem?

Prior to responding to these questions, it is crucial to observe that while Britain, Sweden, the Netherlands, Canada and Australia have (or have had) widely recognized, state-sponsored multicultural policies, there is no single “multiculturalism” to speak of. Substantial differences exist between these national policies in terms of their intents, scopes, histories of implementation, repercussions, and political usages. Canada and Australia have policies that are addressed to all members of the nation, whereas European policies refer only to non-European “ethnic” minorities, and in the Dutch case, only to groups with colonial or historical ties to the country. In Britain and the Netherlands, histories of colonialism continue to impact both the immigrants who have claims to citizenship, and the manner in which they are received. In Sweden and the Netherlands, relatively recent high numbers of asylum seekers have heavily impacted the structure and direction of their policies. Canada, the first country to implement the policy officially, remains the only Western nation in the world to enact multiculturalism at a constitutional level. Canada pioneered multiculturalism at a time when it was considered by many to be “preposterous” to establish the “goal of multicultural coexistence around a unifying vision”, and it has since gone farther in its commitment to the policy than any other nation. However, it should be noted that this does not automatically mean that Canada has been the most committed to ethno-racial equality overall. Britain has introduced aggressive anti-racism measures that are separate policies from its version of multiculturalism; in
Canada, anti-racism is a core part of multicultural policy, and a key contributor to its success in promoting integration.

Given the significant variations between policies, it is dangerous to generalize about any inherent flaws in multiculturalism's capacity to generate social cohesion. Nevertheless, something is clearly problematic – not only are the European nations and Australia moving away from multiculturalism, but also the problems of social cohesion remain unsolved. The Netherlands, chronologically leading the move away from multiculturalism, can hardly claim that social integration and inter-ethnic relations have improved since the changes to their policy in the 1990s. Similarly, Britain and Australia, despite reductions in their policies, have seen increased levels of inter-ethnic violence, marked in particular by the race riots of late 2005 in Australia and the July 2005 London bombings. In both these cases, questions in popular media discourses predominated about why “British” and “Australians” were committing violent acts, and why these individuals had not integrated into society.

Despite the global trend, Canada seems to be firmly committed to multiculturalism. In both Canadian and comparative research, Daniel Hiebert finds that Canadians have ongoing support for the policy, and that (unlike other Western nations) the government has not adopted a strategy of scaling back either multiculturalism or immigration. A recent survey of dozens of papers from the Metropolis Project on immigration and integration reveals that an overwhelming majority of scholars participating in the project feel the policy is imperfect but immensely valuable, and should be improved rather than abandoned.

Given that Canada appears to be standing behind its version of the policy, while acknowledging that it remains an imperfect model, it seems illogical to assume that all versions of state-sponsored multiculturalism are fatally flawed, or that multiculturalism is conceptually incapable of creating (or at least assisting in the creation of) social cohesion. Clearly there are other factors at play in these national situations of unrest beyond the establishment of official multicultural policies. Admittedly, the acceptance of complicating
factors does not tell us whether multiculturalism is helping or harming these uneasy social engagements. Nevertheless, without understanding and addressing them, it seems unlikely that the rapid retreat away from multiculturalism in these nations will yield an easy solution to the problems of social isolation, ghettoization and violence that currently exist. As with many issues of policy, national context is critical to understanding differences in the design, implementation and results of multicultural models. Fundamentally, this thesis focuses on the philosophical foundations that guide different multiculturalisms, in the hopes of understanding how the potential of the various policies have been shaped, limited and directed in different contexts.

While state-sponsored multiculturalism has always faced opposition, the current trend marks the most substantial abandonment of the concept since its contested implementation in various Western nations in the 1970s and 80s. This coincides with two critical events: the widespread shift towards the political right throughout much of the Western world over the past fifteen years, not only in terms of voter trends, but also in the political positions of leading parties (with many central parties shifting right in key issues of international affairs, immigration and diversity); and more recently, the start of major wars in Afghanistan and Iraq, both of which involve Western nations invading and/or militarily engaging Muslim nations. The fallout from this, aside from the more obvious and devastating results of war, has been a dramatic increase in anti-Muslim sentiment throughout the Western world, matched by a corresponding increase in anti-Western sentiment throughout the Muslim world. In places where these two worlds overlap – namely in multicultural spaces in Western nations – individuals, and particularly women in hijab, have faced increasing discrimination in the media, harassment in daily life and, in extreme cases, racial violence.

Canadian scholar David Ley, supported by a substantial body of work by other academics, argues that the Canadian model of multiculturalism helps more than it hinders efforts to facilitate social cohesion and conflict resolution.\textsuperscript{19} Examining the retreat from multiculturalism underway in other countries, particularly in Britain, Ley contends that the situation is being interpreted in ways that are politically motivated at the expense of
genuine examinations of underlying factors. In response to the increasing criticism of multiculturalism in contemporary Western societies, Ley identifies and refutes various assumptions that he feels unfairly blame multiculturalism for a variety of other social problems. Specifically, he cites the current European tendency to equate multiculturalism with divisive social environments, cultural and geographic ghettoization, and a location from which individuals may defend their culture with vehemence, violence and, in extreme cases, terrorism. Ley argues that the reading of multiculturalism as a mechanism for enabling harmful isolation is a tactic used to hide other more harmful but harder to target relationships, such as the link between terrorism and ongoing social discrimination, racialized foreign policy and neo-liberal, pro-white agendas. Multiculturalism, in Ley’s view, has become a soft, easy target of blame – one attacked in place of examining deeper, more difficult racialized social and economic relations. He argues that not only is there no clear evidence that multiculturalism fosters the type of social isolation that breeds terrorism, but also that multiculturalism is one of the best philosophies to combat this environment, particularly if pursued with the level of commitment that Canada has demonstrated in the past thirty years.

Ley’s critique identifies two key issues related to the attacks multiculturalism policy is facing: firstly, that other factors are in play in creating harmful situations of social isolation – factors that are more politically inconvenient to abandon than multiculturalism; and secondly, that Canadian multiculturalism is proof that the philosophy can work. But where does this fit with the contentions of multiculturalism critics in Britain, such as the widely respected Trevor Phillips, who stick by the notion that multiculturalism is incongruous with genuine social integration and anti-racism efforts? In truth, there is actually not nearly that much conflict between these two positions, although it may not appear so initially.

What Ley and Phillips’ arguments come down to is the idea that European models of multiculturalism – policies that are currently slated for abandonment – are poor imitations of the potential good multiculturalism can foster. David Ley is correct in his claim that it is more politically convenient to abandon multiculturalism than face concerns
such as a history of colonialism and contemporary systemic racism, just as he is right that multiculturalism can work well; but this position supports rather than conflicts with Phillips' position that multiculturalism in its current manifestation in Britain (as a policy separated from anti-racism initiatives and failing to provide concrete progress on positive integration) is a bad thing that should be done away with. Clearly the current system in Britain is not working. However, while agreement can be reached between these two positions on the current state of multiculturalism in Britain, where Ley and Phillips differ is in their recommendations for the future direction of multicultural policy. Standing in similar positions of critique of the current system, Ley promotes a reformation of multiculturalism, guided by an unabashed look at underlying complicating factors such as racism and foreign policy, whereas Phillips contends that this examination should happen through venues without state-sponsored multiculturalism in play.

It is of no small significance that David Ley and Trevor Phillips find themselves taking different approaches to the future of multiculturalism, especially given that they began in opposite places. In the 1980s, Ley was a strong critic of the way Canadian multiculturalism was being handled, while Phillips was a strong supporter of British multiculturalism. So why the dramatic reversal of opinions? In short, Canadian policy has shifted over the years from what Kobayashi has referred to as "red boots" or song and dance multiculturalism, through a constitutional expansion of rights, to the contemporary commitment to multiculturalism as anti-racism and national belonging for everyone. In Britain, the policy has stagnated, failing to provide an expansion of either rights or inclusion, while anti-racism policies have been developed through other avenues. As Floya Anthias and Cathy Lloyd point out, multiculturalism in Britain is all about the celebration of cultural differences, whereas recognition of systemic inequalities is viewed as part of the anti-racism struggle – the two fields remain widely divided in both practice and theory.

The shifting position of these two scholars reveals a great deal about the differences between the evolution of Canadian and British multiculturalisms. Phillips began by supporting a policy that showed promise, but over the years has failed to deliver results, creating disillusionment and criticism. Ley began with doubts about a policy that
emphasized celebration over concrete mechanisms of inclusion, and as changes have been made towards a stronger, rights-based multiculturalism, Ley has been convinced that what is currently in place is worth retaining. Having witnessed proof that better policy choices can yield positive improvements, it is no wonder Ley remains convinced that it is not the concept of multiculturalism in Britain and Europe that should be abandoned, but the poor policy choices that have led it in the direction of the celebration model Canada has since replaced with constitutionally-backed, rights-based multiculturalism.\(^{22}\)

In the gaps between Phillips and Ley's positions, a little explored\(^{23}\) truth about multiculturalism reveals itself: not only are there multiple multiculturalisms in the world to contend with, but also within each multicultural policy reside numerous agendas, rationales, potentials and results, many of which conflict internally. The problems Ley identifies (systemic racism, pro-white political agendas, discriminatory approaches to "foreign" policy and "foreign" people) exist (largely unrecognized) in society, and because multiculturalism is a creation of the same society, they exist within the policy itself. The elimination of multicultural policy will therefore not eradicate these other concerns, as they arise from the same source rather than multiculturalism being the source; however, multiculturalism is therefore no guarantee against these problems either.

Scholars like Neil Bissoondath, Himani Bannerji and Ghassan Hage generally consider multiculturalism to be the creation of Anglo-dominant governments working from (and intent on upholding) their own value systems – value systems that are highly racialized, though not often openly acknowledged as such.\(^{24}\) Alternatively, scholars such as Ley, Audrey Kobayashi and Leonie Sandercock approach multiculturalism as a policy that is being continuously developed to promote equality and address injustice.\(^{25}\) Because of the complexities of state-sponsored multiculturalism, these seemingly opposite positions are in fact reconcilable. Multiculturalism has emerged from an historical system of deeply racist values that are problematically acknowledged in contemporary times. The policy contains embedded aspects of this system, just as a plant that grows in poisoned soil will transfer that poison into its leaves and fruit. When considered in this way, multiculturalism indeed appears to have a fatal flaw. However, the situation is more complex, because Canadian
multiculturalism as a policy has been used to combat racism in the system – in effect, multiculturalism contains the fundamental potential to battle itself, pitting the embedded racialized value systems against multiculturalism’s goal of inclusion and equality. The policy is a product of a society that contains systemic racism, and therefore it contains aspects of systemic racism, but it is also a conscious effort, guided by its foundational philosophy, to promote integration that is not overtly assimilationist, and (in some cases) enhanced human rights, both of which combat racism if done well. This is one of the reasons why multiculturalism appears endlessly politically flexible. The policy doesn’t change masks before different public audiences; it literally contains fully formed oppositional elements struggling continuously over the outcome. As demonstrated by the vastly different results of state-sponsored multiculturalism in the Netherlands and Canada, the outcomes of these internal struggles have ramifications not only for the social integration of national populations, but also for the future of the policies themselves. More work must be done to uncover which political means lead to which social ends.

While there has been a significant amount of focus in recent literature around the dissolution, weakening and abandonment of state-sponsored multiculturalism in Europe and Australia, what is not being given enough attention is the idea that competing agendas embedded in the policies themselves can yield more than just failure. If tipped the opposite way, these agendas have the potential to produce highly advanced equality. Sadly, the ability to see this potential is compromised by attributing failures exclusively to the policy that rightly belong, as David Ley argues\(^{26}\), to society more broadly. It is this examination of multiculturalism’s potential that this thesis undertakes to contribute to general scholarship.

### 1.3 Methodology

This thesis is primarily a policy review of Canadian multiculturalism, informed by a literature review of multicultural scholarship. It focuses on discourses from nations with state-sponsored multicultural policies, rather than on discourses about demographic or laissez faire multicultural integration in nations such as the United States. While references to Canadian laws are used, this thesis is not a legal review, nor does it claim to occupy the
realm of political science. It is a policy review and a political history of multiculturalism, based in the social sciences, and informed by a feminist approach to the topic, which focuses, where appropriate, on the connections between multiculturalism and gender that are often lost in liberal discourses that approach the policy as gender neutral in both its philosophy and its effects.

In referring to the thesis as a policy review, it is worth breaking down exactly what is meant by the concept of policy, and how the thesis approaches the complexities of different aspects of policy. A government policy is not a single idea or regulation; it contains philosophical, practical and functional aspects. More specifically, a policy is created from a philosophical foundation, which serves to guide the direction of the practical framework that supports the policy’s ideological commitments (i.e., through government staffing, funding). The practical framework then supports programs through which the foundational philosophies or aims are transmitted to the general public (or to other government branches), yielding functional results. These results are then fed back through the policy’s framework, and are checked against the foundational aims to see if the policy is succeeding, and to help policy makers adjust the policy at whatever level(s) require changes (in the foundational philosophy, framework or implementation stages). The creation of policy can therefore be understood rather like a tennis ball that travels continuously between concept and implementation, crossing over the practical framework of the policy with each transition. In one direction a program is built, and in the opposite direction the program is critiqued, theoretically providing a continual loop of progression.

Canadian multiculturalism is an excellent example of how this system works, and of the difficulties that are created when the policy is approached without an understanding of the differences between the various stages. Hypothetically, when the program appears to be failing, isolating the specific aspect (or aspects) that is failing is critical to correcting the problem. For example, multiculturalism has often been charged with being ineffective in promoting social integration between ethno-cultural groups; however, it is a vastly different problem if the foundational philosophy does not support integration than if the government
simply hasn't allocated sufficient resources to implement what is theoretically a strong program.

While these three aspects of policy are closely interconnected (philosophy, framework and implementation), they are also individually very rich locations for analysis. As such, it is important to limit a policy comparison of multiculturalism in different nations to a manageable size. While the interconnected nature of these aspects will be referred to throughout the thesis, the main focus of this research is: firstly, to compare the philosophical foundations that guide the various national policies to different ends; and secondly, to demonstrate that not only are gender equality and cultural freedoms compatible in a multicultural framework, but also that increased anti-racism opportunities exist when one can see beyond the concept that gender equality and cultural freedoms are an either/or scenario. A strong foundational philosophy is no guarantee of a successful program, due to the other elements of policy building that are involved, but it is the core of any given multiculturalism's purpose and aspirations. Because the research questions why some multiculturalisms are largely failing in theirs aims and subsequently being abandoned, while Canada's appears to be succeeding in at least some of its aims, it will take as it primary object of analysis the different foundational philosophies upon which these multiculturalisms have been built. As the following chapters will show, there are ample clues in a comparison of the foundational philosophies to offer answers to the question of why some countries have been so disappointed with their multiculturalisms, while Canada has continued to support and increase its own policy.

The data for the research has been collected from three sources: government-issued documents, policies and legal codes which provide a primary resource for investigation into the different multiculturalism policies and their evolution over the years; academic research, debates and interpretations (secondary sources) of the primary source material, including their impact on society and the degree to which they have achieved their aims, or have been constructed in such a way that wrong aims have been set as targets; and finally, interpretive discussions with policy makers and policy workers, both federally and provincially, which has aided in my understanding of the inner workings of governance.
These interviews assisted in highlighting two key ideas that run throughout the thesis: the degree to which those who work in multiculturalism through government have become invested in anti-racist multiculturalism as the way forward; and the frustration felt at the lack of legal teeth and core authority within the policy, limiting the persuasiveness of the policy to that of rhetorical rather than legal devices. These interviews were casual in nature, to inform the researcher of key “behind the scenes” debates that do not always surface in policy documents. The purpose of the research has not been to use these interviews as primary source material, but more as a jumping off point for lines of inquiry within the literature and Canadian legal code. Because of the relatively small world of policy workers in this field, and the interconnected network of government, it was very difficult to persuade people to speak on record about their observations, as it was almost impossible to guarantee anonymity. The few quotes that do appear in the thesis were obtained with much persuasion and long discussions, sometimes for single lines of text, making it virtually impossible to include larger sections of the interviews as part of the body of evidence presented in the research findings.

It must also be noted with regards to the secondary literature that a large section of the literature review on Canadian multiculturalism in chapter two emerges from the Metropolis Working Paper Series. This is due to a project undertaken by the researcher whereby several hundred papers were screened for multiculturalism content, and several dozen were summarized and compiled into an annotated bibliography. Obviously, such an extensive project provides a more extensive familiarity with this paper series than might be expected, however the summaries provided should be understood to be a source of additional information that reflects several of the key concerns with Canadian multiculturalism. It has been added to the review of the literature for interest’s sake, rather than to supplant the contemporary research of other authors in the field who are discussed throughout the thesis.
1.4 Limitations of the Research

As with any body of work, parameters have been established in this research that necessitate the deliberate exclusion of certain fields of inquiry. The thesis is limited exclusively to discussions of multiculturalism as a state-sponsored policy, foregoing debates on the huge volume of research about multiculturalism in connection to globalization, neo-liberalism, political science, definitions of ethnicity, cultural production, literature, migration and daily life in the modern era. The dissertation does not engage in extensive review of theories of racial difference, due to the extensive variety of rich literature on this topic already available; instead this thesis provides analysis on the ways in which policy approaches and creates concepts of difference for use in political strategies of social organization.

In relationship to the idea of different aspects of policy introduced above, it is necessary to acknowledge up front that this thesis is not an attempt to prove that Canada has been able to actualize the foundational philosophies contained in the policy – a project that would produce an entirely different thesis than the examination of philosophical foundations presented here. This is clearly a significant limitation, for it relies that the words of the policy and the ideas they contain be taken at face value. There are obvious reasons to be cautious with this type of approach, given that it is far easier for governments to make claims and introduce policies than it is to implement and maintain them. However, the main idea behind this is twofold: firstly, there is a limit on the length of the document and the amount of material presented, and substantial room must be left to refute the “gender versus culture” argument that has so easily leant itself to government and lobby groups intent on undermining expanding cultural diversity within the borders of the nation; and secondly, the emphasis on foundational philosophies is guided by the idea that a policy cannot manifest a broad-spectrum result (either for success or failure) that is not in some way contained within the foundational philosophies of the policy. For example, a policy that emphasizes segregation of different groups will not easily promote integration, and if integration does occur it is likely the result of other factors. Similarly, a policy that emphasizes multiculturalism primarily as a business advantage will not yield the staff and
programs that spontaneously promote anti-racism in daily life as a valued philosophy. The scope of this thesis is to examine how the underlying philosophical foundations of Canadian multiculturalism have emerged, and to examine how they theoretically enable Canadian multiculturalism to retain its place in the nation despite the mounting hostilities to multiculturalism (and the corresponding mounting support for more assimilationist value systems in public spaces) witnessed in other nations such as Australia and the Netherlands.

The thesis does not provide a close comparative analysis of Quebec’s interculturalism and Canadian multiculturalism. This task is left to scholars with more expertise in the nuances of Francophone culture – such an endeavour deserves to be a thesis in its own right. While Quebec’s connection to multiculturalism will be discussed in relation to the early evolution of the policy, the thesis does not aim to repeat the extensive scholarship of Will Kymlicka and others on the relationship between Quebec and Canadian multiculturalism. The question presents itself: how can one speak of Canadian multiculturalism without speaking of Quebec multiculturalism? Yet, it is a mistake to apply geographic boundaries to policy matters. Just because Quebec is physically contained within the nation of Canada does not mean that its interculturalism policy is similarly contained within the concept of “Canadian multiculturalism”. Canadian multiculturalism is a distinct policy entity, with its own historical evolution, documentation, legal standing and public application. In this context it may be more correct to consider Canadian Multiculturalism as a proper noun, as the official title for the federal policy, rather than as a geographically encompassing entity. While various provincial policies may draw from the federal policy, they should not be considered to be synonymous with it, particularly in the case of Quebec. Although Quebec signed on to the original policy in 1971, the province’s refusal to sign onto the Charter of Rights and Freedoms in 1982, and its rejection of the Canadian Multiculturalism Act in 1988 in favour of its own interculturalism policy, demonstrate clearly that to speak of Canadian multiculturalism does not in any way automatically infer that the discussion is also about Quebec interculturalism. As this thesis is a comparison of national-level policies in international comparison, not of provincial policies set against national ones, Quebec’s interculturalism has not been discussed. However, for those interested in comparisons between Canadian multiculturalism and
Quebec's interculturalism, please see Will Kymlicka's *Finding Our Way*, or Amy Nugent's recent article on the subject in the *Journal of Canadian Ethnic Studies*.

While this research focuses on comparisons of Canadian multiculturalism with policies in other nations, it does not pretend to contrast the full package of human and legal rights of all of these countries, nor does it provide full histories of the development of multicultural policy in each of the nations being discussed. The main focus of the thesis is to explore the reasons for the continued support of Canadian multicultural policy, not to compare which nations offer better overall rights packages. Such a project would necessitate a massive body of legal work, and would take the thesis far from its close examination of multiculturalism as a mechanism for promoting equality and integration. The thesis aims to compare the philosophies of different multicultural policies, and furthermore to uncover the competing interests embedded in the various policies that have rendered different results in terms of the direction of multiculturalism.

As a final note on the limitations of the research, it is important to consider the researcher's level of accessibility to policies introduced into legislation, Parliament and law. One of the great difficulties for me with researching the Netherlands is that much of the available information is in Dutch. Therefore, in the case of the Netherlands more reliance is placed on the secondary interpretation of policies by academics, compared with policy reviews available in English-speaking nations. Despite this reliance on the secondary literature, there is some direct access to these policies in translation, as they appear cited in the works of scholars, and in some cases through UN sources.

### 1.5 Reviewing the Terminology

Regarding terminology, it must be observed that the language used to describe social situations is rarely randomly selected. Multiculturalism as a plurality discourse relies on the differentiation of multiple ethnicities and cultural communities. The terminology it utilizes, whether out of practical convenience or historical habit, contains within it certain problematic assumptions - issues that are reflected continuously throughout the
philosophies that govern the policy. The terminology can be viewed as a microcosm of larger concerns within multiculturalism, such as issues of normativity around who is named, who is able to escape being labeled, who is invisible, who is perceived as visibly different, and who is considered a “cultural” being.

1.5.1 Multiculturalism:

To begin, it is necessary to define exactly what is denoted by multiculturalism. As Fleras and Elliot observe, there is a multiplicity of usages connected to the term, leading to diverse sets of meaning, intention and application. In Canada, the term denotes a long history of grassroots advocacy, government, social, policy and constitutional change, while in other countries it may indicate no more than a number of ethnic groups (quite literally multi-cultures) living together within the same national borders. Part of understanding Canada’s relationship to this concept lies in examining how the term has come to take on additional meaning within the nation, above and beyond its demographic definition. Kobayashi has observed, “The term ‘multiculturalism’ carries a sense of dynamism and diversity. Any representation of multiculturalism, however, also carries the contradictions inherent in cultural processes in general, and in Canadian culture in particular. There is a contradiction between the ‘multicultural’ composition of the population and multiculturalism policy.”

As Joppke relates, “There is certainly a widespread de facto multiculturalism in liberal states.” However, this de facto multiculturalism should not be confused with state-sponsored multicultural policy. The former exists as a physical condition either of immigration (as in the United States) or as a result of borders being established around pre-existent multiple cultural groups (as in India); the latter is a deliberate decision on behalf of the state to engage the present diversity in policy, which then directly informs government actions, integration strategies, federal spending, etc. Although it can be easy to refer to all Western nations as having some form of de facto multiculturalism, there is a significant gap between the presence of diversity in any given country and a government’s official recognition of this diversity through multicultural policy.
In today's society, multiculturalism manifests very differently at the nationwide level of state-sponsored policy than it does at a community level celebration of Vasaiki or Cinco de Mayo. Unhindered by long-term, far-reaching bureaucratic realities of legality, budget, governance etc., community level multiculturalism is perhaps the best example of inclusive, active, successful multiculturalism available, as measured against the multicultural ideal of a pluralistic society in which all cultures and ethnicities are equally valued and empowered. However, many of Canada's community and local level manifestations of multiculturalism are enabled by larger state-defined principles of equality and inclusion, formulated and funded during and since the Trudeau era. It is the development of this state-governed level of multiculturalism that this thesis addresses, for it is this state-sponsored multiculturalism that engages directly in a structural way with the development of the nation in relation to globalization and trans-border migration. Even within this body of policy, there are significant multiplicities - a natural result of the many separate voices that have collaborated to produce them. But despite this multiplicity, it is possible to locate several base foundations upon which the finer details are constructed, and thus it is possible to consider state-sponsored multiculturalism in Canada and elsewhere as a specific entity individual to each national context.

Unless otherwise stated, when multiculturalism is referred to in this thesis, the intended meaning is state-sponsored official multiculturalism policy, which usually refers only to the multiculturalisms of Britain, Canada, Australia, the Netherlands and Sweden. Diversity in Canada in the pre-1971 period will be referred to as pre-multiculturalism, which indicates the period prior to the establishment of an official Canadian multiculturalism policy, as opposed to the false assumption that there has ever been a time in Canada’s history as a nation that has ever been non-multicultural.

It is also useful to observe that Quebec has its own state-sponsored diversity policy, referred to as interculturalism. This was put in place as an alternative to Canadian multiculturalism, and is fundamentally based on the acceptance of French language as a central unifying principle. While some examples of cultural practice throughout the thesis
are drawn from Quebec, particularly in chapter six (which provides current events analysis), the term multiculturalism is intended to refer to the Canada-wide policy rather than Quebec’s interculturalism.

As a final note on the use of the term multiculturalism, it must be pointed out that this concept has a long and uneasy relationship with Aboriginal Peoples. Exclusively a concern of Canadian and Australian multicultural policies (for obvious reasons), the inclusion or exclusion of Native Peoples from the policy continues to be an unresolved issue. Aboriginal Peoples have all too often found themselves forcibly included in a policy that is primarily constructed as a discourse on immigration – one that equates their claims to centrality in the nation with those who are, for all intents and purposes, newcomers. A further discussion of the conflicts between Aboriginal concerns and multiculturalism is provided in chapter four, which investigates the rationales and governing strategies that have influenced the policy’s development in Canada.

1.5.2 Dominant Majorities/ Visible Minorities:

The effort to accurately and adequately describe difference has been a long struggle in academia and in society more broadly. Nevertheless, terminology around difference remains a contested site. In Britain, non-white ethnic groups are problematically lumped into one of two categories: Black or Indian/South Asian. The term used to describe difference in the Netherlands and Canada is ethnic minorities – sometimes interchangeable in Canada with the term visible minorities – both of which often raise eyebrows in some international and academic circles. Wsevolod Isajiw, a scholar highly referenced by other academics in the field of diversity studies, has rejected the term visible minorities altogether as an intensely racialized, highly problematic term. Similarly, Canada’s use of the term people of colour (largely put forward by feminist and anti-racist activists) causes backlash in Europe, and is considered by some British race theorists to be almost akin to calling someone a coloured person. Australia has similar terms in use, with the addition of the term “Third World-looking” migrant proposed by Australian multiculturalism theorist Ghassan Hage. Work by Sneja Gunew, also in the Australian context, identifies the slides
made between Australian and European in national discourses, blurring the lines between ethnicities within the dominant group, while still retaining firm boundaries against those conceptualized as “outsiders”. Feminist academic Uma Narayan critiques the shifting boundaries of terms such as Western and non-Western in general use. It seems there is little satisfaction with the terminology available to describe differences in ways that do not actively reinscribe problematic racialization and power dynamics.

As Krishna Pendakur (2005) and others have noted, the term minority for use in Canadian diversity discourses is problematic on several fronts. Presumably put into use in order to describe the numerical representation of a population (minority as opposed to majority percentages), or to indicate a lack of power, the term brings with it certain implications of value judgment. Minority can just as easily be used to describe that which is less important, less powerful or less central. This notion is further compounded by multicultural discourse’s tendency to label the minority as opposed to the majority; the minority is highlighted as that which is different, that which does not belong in the majority or the mainstream.

In addition to problems of value judgment, the phrase minority even in its mathematical usage may not be accurate in Canada for much longer. As Daniel Hiebert (2005) demonstrated with his 2017 population projections, major urban centres such as Vancouver, Montreal and Toronto are experiencing an ever-increasing movement towards diversity that may soon render terms such as minority and majority ineffective descriptors. In addition to this challenge, immigration numbers could potentially present ideological ruptures between rural and urban environments in Canada, where population realities result in different perceptions of what constitutes a racial minority.

The term ethnic also presents significant concerns, particularly in a nation supposedly based on multiculturalism. Theoretically, in a true multicultural state, all ethnicities are held equally, and subsequently there is need to differentiate some as ethnic, and some as an amorphous unlabelled group (read: white). The difficulty with this term is not the notion that groups retain an ethnicity in a multicultural state, but that in Canada the
term ethnic has come to be closely associated with skin colour and other markers of
difference that delineate the white mainstream from the diversity of the nation. There is a
tendency to focus on the other as ethnic and the dominant group as somehow non-ethnic, or
of an ethnicity that does not need to be spoken. The continued use of the term ethnic to
describe those who appear visibly different from an Anglo-European norm is disturbing, to
say the least. When combined together, the phrase *ethnic minority* is doubly charged with
value discriminators.

Unfortunately, short of attempting to coin a new phrase, as Ghassan Hage did with
"Third World-looking" migrant (1998, 62), these terminologies remain a problematic yet
necessary means of communicating ideas at the present time. Even Hage’s term, while it
captures the emphasis on stereotyping in racial naming, does not permit more nuanced
versions of this naming, such as discrimination towards the Ukrainian community – a
European group that currently enjoys white privilege, but has nevertheless endured
significant exclusion historically as an Eastern European group, and has been a primary
target of multiculturalism in Canada. Hage’s term may be localized to Australian use, but
even then the concept of “Third World-looking” migrant has problematic class
connotations; money can easily erase the perception that one is a “migrant”, but that does
not address issues of ethnic naming; similarly, other factors such as education, accent,
profession, etc. all disrupt the equation Hage seems to want to infer on behalf of the
dominant majority between skin colour and broader socio-economic, geo-political
conceptions of “Third World” and migrancy.

Hage’s emphasis on the process of stereotyping does point in a useful direction,
even if the term he has arrived at remains problematic. What is important is that some
individuals have certain elevated levels of ethnicity attributed to them, namely on the basis
of race and visible markers of difference, which the historically dominant white
European/Canadian/Australian group does not automatically associate with itself. This
process of naming ethnicity is complexly mediated by culture (i.e., education, accent,
profession – in essence, fluency in the mainstream). Some level of descriptor is necessary
in order to forward any level communication about these issues, but so far the descriptors
used focus more on the attribution of concepts of inherent ethnicity or race, rather than on the process by which this ethnicity is identified in elevated ways for some groups/individuals and not others. Considering these dynamics, this thesis proposes the use of the term *ethnically framed* to refer to those people whose race, ethnicity or cultural background is highlighted as a primary identifier.

The use of the term *ethnically framed* is particularly useful in the context of state-sponsored multiculturalism because it puts emphasis on the *process of identifying difference* rather than on the re-inscription of concepts of *inherent difference*. This is not necessarily the most practical term in all potential applications, such as census statistics, where all individuals will fit somewhere into an ethnic category, or multiple categories. Even given the problematic nature of shifting boundaries of ethnicity throughout history, a universal census considers all individuals to have at least one ethnicity. However, where multiculturalism is concerned, ethnicity is all too often approached as a matter of racial and cultural difference from the perspective of the dominant group: ethnicity is associated with hyphenated Canadian identities, such as Indo-Canadian and Chinese Canadian, which problematically convey non-inclusion, or at best an uneasy and partial inclusion, in mainstream society/national identity. The term *ethnically framed* is therefore used not as synonymous with ethnicity, but in cases where the framing of ethnicity is an inherent mechanism or result of a particular policy or social theory. It draws attention to the process of naming, and to the power dynamics that support the process.

The term ethnically framed must be understood to have three key restrictions: firstly, it does not replace ethnicity as a term in use; secondly, is should be regarded not as an absolute concept but as a holding term for temporary use until such time as equality renders such language unnecessary; and thirdly, it does not blindly imply that the lens of viewing ethnicity as a personal identifier is restricted to the external imposition of this perception by a dominant group towards non-dominant groups. While this is a major aspect of the ways in which multicultural policies are constructed, efforts to recognize this should not undermine the right of individuals to self-identify as "ethnic" based on their own understanding of the term, or assert their right to select a hyphenated identity. It can
happen that communities desire to self-identify, or to self-frame as ethnic groups. However, when ethnic framing occurs in policy, or in the power dynamics created by the dominance of one or more cultural groups over others, there is often little opportunity to elect not to be ethnically framed. Therefore, this term is not synonymous with the concept of individuals being *ethnically self-identified*; it acknowledges that while some voluntary ethnic framing may or may not occur from within, there is a simultaneous externally imposed dynamic of this framing that is not elective. The use of the term ethnically framed is therefore restricted to applications where policy, history and/or power dynamics dictate that ethnicity is selectively attributed to certain groups as a marker of difference held to be inherent to those groups. In this sense, ethnically framed is an excellent term for use in multiculturalism debates, because of multiculturalism’s heavy reliance on identifying, constructing and managing ethnic difference. The term is still problematic, because it refers to framing from the perspective of the historically dominant group, and as such reinscribes centrality of that group. However, by focusing on the process of creating ethnicity as a category of difference rather than accepting any inherent value in that difference, the artificiality of the distinction “ethnicity” is highlighted. The goal of this term is to draw attention to the ways in which historically dominant groups constructs “the other” – not to sanction such a process, but to place it continuously under a microscope.

The term ethnically framed highlights the ways in which policies produce, rely on and replicate ethnicity as a static concept that is used to describe some members of society and not others. In this sense, ethnically framed groups refers to visible minorities, ethnic minorities and people of colour – terms that in current usage rely on attributing either ethnicity or a concept of racialized difference to some people who do not fall within the (shifting) boundaries of an unspoken white norm. While all of these terms when first introduced were intended to increase sensitivity in place of insensitivity to issues of race and ethnicity, they continue to suffer from critiques because each of these terms is rooted in a concept of inherent racial difference, focusing on appeals to biology (long since debunked, particularly by modern British race theorists) instead of emphasizing the process by which racialization occurs. The term ethnically framed highlights the concept of a lens of vision being selectively applied, and draws attention to the power of the viewer in
shaping the subject. The term does not imply that individuals do not have ethnicity; instead, it foregrounds the process by which ethnicity is being selectively viewed above and beyond other aspects of self. Because the idea of ethnic framing disrupts naturalizations of ethnicity and instead inserts a questioning of ethnic labeling as a process, there is more opportunity to conceptualize ethnicity as fluid, hybridizing, and as a labeling strategy employed by some people about other people. Specifically in relation to this thesis, the term ethnically framed demonstrates the mechanisms by which those who have shaped multicultural policy have envisioned the “differences” of others, embedding in the policy a language of power dynamics that must be explored more thoroughly than terms such as visible or ethnic minority will allow.

As a foil to the concept of ethnically framed groups, there must be some means of describing those groups that have, within the boundaries of multicultural policy and debates, largely escaped being named. However, providing ethno-cultural specific names proves as difficult for these groups as it does for “ethnic minorities” or “visible minorities”. Discussions of what constitutes “whiteness” have exploded in recent years, led by Ruth Frankberg’s excellent work on the subject. However, the concept of whiteness is not the same as referring to the historically dominant group, for there are instances where the two are not the same, as in the Ukrainian, Hutterite, Doukhobour and Jewish communities’ experiences in early Canada. Initially not considered white, those of Ukrainians and Jewish communities have since come to occupy a space that sometimes places them in positions of social dominance, and at other times disempowers them. The boundaries of whiteness have shifted historically over the years, as David Theo Goldberg proves with his analysis on census categories in the United States. The term used in this thesis will therefore be historically dominant group(s), indicating those who have acted in positions of authority in governance, the economy and daily society, and have exercised the capacity to ethnically frame those who are not considered to fall within the margins of the dominant group. This category is predominantly made up of European ethno-cultural groups. In Canada and Australia, the dominant group has largely been made up of British immigrants, but also includes other European groups, particularly those of Western and Northern Europe. As evidenced by the Ukrainian case, geographic origination from the
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European continent does not automatically translate into inclusion in the dominant group. In the case of Canada, clearly French immigrants have played a significant role in Quebec, Manitoba and parts of the Maritimes, but it is problematic to equate French and English influences in Canada outside Quebec (in the areas governed by the Canadian Multiculturalism Act) because of the degree to which English influence has vastly outweighed French and other European influences. It would be unfair to Francophone Canadians to imply that they have enjoyed levels of authority and political influence equal to Anglo Canadians in other provinces outside Quebec. Therefore, in parts of Canada that recognize the Canadian Charter of Rights and Freedoms and the Canadian Multiculturalism Act, the term historically dominant group(s) refers predominantly, although not exclusively, to British-ancestry individuals, with the inclusion of other European-ancestry individuals (including those of French descent) who have been accepted into the mainstream. It should also be noted that acceptance into the dominant group has shifted throughout Canada's history – differences between European groups that were earlier regarded as significant have been treated as progressively less divisive with the arrival of Asian, African and South American immigrants to Canada in larger numbers.

1.6 Synopsis of Thesis Chapters

State-sponsored multiculturalism is arguably one of the most intriguing developments in Western social organization since the emergence of democratic and communist models around the turn of the last century. But is this endeavour destined to be short-lived? As Britain, Australia, Sweden and the Netherlands back away from multiculturalism, will Canada follow close behind, or is there something distinct about Canadian multiculturalism that will merit its survival into the twenty-first century? Over the course of the following chapters, this thesis will explore the history, evolution, and contemporary manifestation of Canadian multiculturalism (specifically focusing on the foundational philosophy of the policy) and will compare it to other contemporary policies in hopes of finding the answer to this question.
The quest to understand the dynamics of this issue begins with a review of the literature in chapter two, which focuses on major arguments for and against state-sponsored multiculturalism, and a look at the multicultural policies of Sweden, the Netherlands, Britain and Australia. In multiculturalism scholarship, three distinct foci emerge, with very few scholars occupying theoretical territory that overlaps beyond their sphere of interest. Government policy workers and NGOs predominantly inhabit spaces that are constructed from the framework of multicultural policy (federally, provincially and municipally) and they respond in dialogue with the specifics of a policy-governed approach. In short, they make government-directed actions from the policy. Academics who work on immigration, settlement and cultural diversity make intermittent forays into the world of policy, but respond overwhelmingly to small “m” multiculturalism, often drawing disturbingly few distinctions between state-sponsored directives and a general globalizing condition of population diversity. This is not to say that academics fail to influence policy making, but rather that few academics, when reviewing multiculturalism, pay close attention to the details of the policy mandate, programs or government initiatives. Feminist scholars, concerned with situated knowledges and gender focused research, form a third division, one which early on in its development rarely engaged the details of multiculturalism policy directly, and circulated predominantly, although by no means exclusively, in separate academic foci than other scholars. However, as multicultural theory has evolved, it is becoming increasingly commonplace for issues of gender to be considered closer to the foregrounds of debates on liberalism and society.

Academics focus a great deal of attention on theories of difference, race, ethnicity, nationalism, and gender – all of which are very valuable – but few of which connect directly to the details, direction and priorities of state-sponsored multiculturalism. Out of these groups, there are even fewer academics who make Canada a specific area of research. Kogila Moodley, Charles Taylor, Audrey Kobayashi and Will Kymlicka are some of the only academics who connect their research directly to a policy-centered analysis and include gender as a category for analysis. This chapter attempts to integrate these three perspectives – feminist social science, social science and policy – demonstrating that when used in complementary ways, a fuller spectrum of knowledge becomes available.
As indicated in the above discussions, this thesis proposes that multiculturalism be understood both as a complex negotiation between policy philosophy, framework and implementation, and as a negotiation or struggle between embedded rationales drawn from the conflicting forces of systemic racism and the drive for equality – values that are transferred in complex competing ways to the policy. However, prior to any actual discussion of these complexities, it is necessary to provide evidence to support two fundamental assumptions: firstly, that systemic racism existed and continues to exist in Canadian society, and specifically in Canadian government policies; and secondly, that this systemic racism has indeed been transferred to multiculturalism. The third chapter of the thesis focuses on providing evidence for these claims through a case study of Asian immigration to Western Canada, including gender analysis of government policies. While there is significant value in providing case studies to support the concept of systemic racism in all countries with state-sponsored multicultural policies, there simply is no room to do justice to this endeavour. The thesis will be forced to rely heavily on the research of prominent scholars working on other Western nations with state-sponsored multiculturalism for proof of systemic racism in these policies.

Chapter three contends that early Canadian immigration policies were openly racist in their anti-Asian restrictions, consistent with similar policies in Australia, New Zealand and other Western nations. However, while Canada did not have restrictions that were as severe as some (such as the White Australia policy), and although Canada was ahead of many other Western nations in moving away from a race-based immigration system in 1967, it has struggled progressively over the years to reform and remove racialized values that haunt its government policies. Multiculturalism, also a product of the same time period as the move to immigration’s points system, has faced similar revisions as Canada seeks to move increasingly towards an equality-based, anti-racist society. However, the racialization embedded in the values of these revisions were often not widely recognized until much later; for example, Canada’s anti-racism plan is not even five years old, indicating over thirty years of revisions to both immigration and multiculturalism policies where equality took a few steps forward, and then a few more, and then a few more.
Chapter three provides a close look at the value systems from which multiculturalism emerged in order to demonstrate not only the magnitude of how far Canadian multiculturalism has traveled, but also the fact that the value systems of a nation do not simply switch over instantaneously (or even through a few decades) with the adoption of new policy.

Chapter four provides a closer look at the internal workings of the multicultural policy in Canada, with comparative references to state-sponsored policies in other countries. Chapter four concerns itself with an examination of the competing rationales for multiculturalism, including those that both foster and diminish gender equality. Because of the multiple influences on early multiculturalism, the various incarnations of its priorities and the successive governments that have adapted it politically, the policy serves to promote multiple agendas simultaneously, not all of which are easily compatible. This chapter tracks the evolution of political rationales for the policy (and its subsequent priorities) through the decades, reflecting on which rationales appear to produce more useful, stable forms of multiculturalism for the future.

Inherent to this argument is the idea that the embedded value systems of a society reveal themselves through multicultural policy, and that the policy’s progress towards anti-racism from a position of ensuring the ongoing authority of the historically dominant group can be used as a sort of litmus test for the evolution of social equality. Returning to the concept that multiculturalism emerges from a society containing systemic racism, chapter four elaborates on the concept of the battle between the policy’s hidden racialization and its design to seek out and eliminate that racism not only in itself, but also in society more broadly. Ultimately, multiculturalism’s success as a policy in promoting harmonious integration (and rights to cultural retention without compelling people to assimilate to the historically dominant culture) rests on the degree to which the policy has been able to defeat its own embedded systemic racisms, and move on to an advanced form of equality. Nations with multiculturalisms that have failed to achieve this, such as the Netherlands, or nations that have retained a weak multiculturalism and have emphasized anti-racism through other venues, such as Britain, might indeed be better off without their multicultural
policies. This does not indicate that state-sponsored multiculturalism is a failed concept, only that a successful policy requires a certain level of commitment in its philosophical foundation that not all nations are prepared to make.

Following a discussion of the evolution of Canadian policy from its origins to contemporary times, it seems logical to examine the distance multiculturalism still has to go in advancing equality, and to discuss any lingering conflicts preventing the policy from moving forward. To that end, chapter five examines apparent conflicts between the rights to cultural and religious practice extended by the Canadian Charter of Rights and Freedoms, and the guarantee of gender equality under the Canadian Human Rights Act. Using legal examples to highlight the importance of a sound philosophical policy commitment to equality and diversity, this chapter questions the nature of the conflict between these supposedly incongruous rights, and proposes a way of resolving the situation. Chapter six, as a compliment to chapter five, examines the complexities of establishing freedom of cultural practice as a basic human right, and presents a framework for advancing cultural rights as part of Canada’s constitutional commitment to multiculturalism.

The role of gender in multiculturalism is paradoxically implicit but invisible, and it represents a significant challenge to the future of the policy in Western nations. Multiculturalism is fundamentally about promoting equality of cultural practice for all people. However, multicultural policies routinely fail to define exactly what it is they are protecting, due to under-evaluated but silently acknowledged conflicts between cultural practice and pre-existing legal conventions, particularly around issues of gender. The question is how legitimate are these contentions that multiculturalism is incompatible with gender equality, and to what extent is multiculturalism providing an easy target of blame for other issues?

Any apparent conflicts between gender equality and cultural practice are currently resolved in Canadian multiculturalism by soft language that denies the policy any meaningful legal authority, and subsequently offers little genuine protection for cultural
practice, integration to the mainstream, reformation of the mainstream, or reformation of the law itself. For example, multiculturalism cannot guarantee an individual the right to perpetrate spousal assault based on cultural norms – a violation of both pre-existing legal codes and the fundamental human rights of women. However, in order to prevent the policy from guaranteeing cultural practices such as spousal abuse, multiculturalism is made so weak that it cannot protect cultural practices that are in no way a violation of human rights, such as conventions of personal attire. Additionally, this reading of culture as incompatible with gender equality silently acts to label practices such as spousal assault as “ethnic” cultural practices, rather than as something that has been, to varying degrees, an acceptable cultural norm of virtually every country at some stage, including Western nations until the mid-twentieth century. Chapter five focuses on defending multiculturalism against the claim that gender and multiculturalism are incompatible, and chapter six examines ways in which cultural rights can be strengthened without negating gender equality. To that end, chapter six proposes a framework for expanding freedom of cultural practice as a basic human right.

Although Canada has both a constitutional framework for multiculturalism and extensive human rights legislation, there remains significant ambiguity around an individual’s rights to cultural practice. This ambiguity is not limited to Canada’s Human Rights Act, but originates with the UN *Universal Declaration of Human Rights*, which fails to list cultural practice along with other protections such as those based on race, gender, religion, and country of origin. Although there exists the UN *International Covenant on Economic, Social and Cultural Rights*, which came into force in 1976, this document has far less sway than the *Universal Declaration of Human Rights*, and has not been adopted into the language of Canadian law and policy as its predecessor was. In many ways, this statute exists to address omissions in the *Declaration*, but it remains a distant second cousin, clouded by lack of authority and nationally convenient interpretations of its meaning. Even within the *Covenant*, cultural rights are not clearly defined, appear as the smallest of the three types of rights specified, and locate their authority within the signing of the *Universal Declaration*. Currently, cultural rights are one of the most ambiguous of all UN-guided principles on protections against discrimination, and where they appear at
all, namely in the *Covenant*, they are surrounded by unclear language that most frequently asserts the right of individuals to be part of the cultural life of a nation, without any rights *not* to be part of the cultural life of a nation, or to participate in the nation with a level of protection of cultural differences. In order to be applied in a legal or social context, cultural rights require disproportionate levels of appeal to other aspects of human rights such as religion, gender or race. In some cases, cultural practices conflict with directly certain human rights, such as the right to gender equality, making it very difficult to establish a framework within which cultural rights, human rights and national cultures (including legal protocols) co-exist harmoniously.

While Canadians enjoy a significant number of cultural freedoms, many government practices and laws enforce the dominance of certain cultural groups at the expense of others, and these laws cannot effectively be appealed under current human rights legislation because they do not violate religious freedoms – culture’s closest cousin in human rights conventions. Efforts to expand the right to cultural practice in Canada are limited by the complexity of defining culture, and by the *Canadian Multiculturalism Act*’s weak language, which “fosters”, “promotes” and “encourages” but does not explicitly guarantee or enforce an individual’s right to culture. Nevertheless, no other Western nation has gone farther in its attempts to address the gap between cultural rights and national legal/social norms than Canada. The reasons behind the reluctance to establish culture as a basic human right rest primarily on conflicts between cultural practice, existing Canadian law, and the human right of gender equality. However, while conflicts in these areas exist, it does not necessarily follow that they cannot be resolved, or that the current practice of avoiding any meaningful guarantee of cultural rights is the best means through which to reach a resolution. Using the potential for advanced equality contained (but underutilized) in the *Canadian Multiculturalism Act*, chapter six contends that it is possible to establish a framework for the introduction of culture as an explicitly stated, fundamental human right that exists independently of other human rights such as religion or country of origin, without compromising gender equality. Because of the ways in which Canada has laid out the foundational philosophy of its multicultural policy, it is currently perhaps the only nation from which such an expansion of cultural rights can be mounted. The effort to
introduce a practical method of ensuring cultural practice as a basic human right at a national level is a highly valuable endeavour, and emphasizes the value of a well functioning multicultural policy at a time when so much of the world is in conflict over cultural and religious values.

1.7 Conclusion

Despite its many failings, state-sponsored multiculturalism as an ideal is a remarkable conceptualization of what equality might look like – an admirable endeavour in a world that is far more accustomed to actualizing inequality. Excluding small scale, community based realizations of equality sprinkled sporadically throughout history, the nationwide desire to actualize real equality (across gendered, religious, cultural, racialized, sexual, age and ability normative borders) on such a broad scale is a relatively recent ambition in human history. Such a project is bound to encounter significant challenges, and yet, those challenges must not become excuses. If multiculturalism is to become a lasting and fully viable means of encouraging and ensuring equality in the realm of what Hage has termed “the multicultural real,” it must be strengthened to not only provide the equality it promises, but also to resist co-option from political parties intent on utilizing it as a means of consolidating power for a single group. In order to meet these complex demands, it is vital to question the ways in which contemporary manifestations of multiculturalism are responding to the challenges of an increasingly transnational world, and to explore how multiculturalism engages gender and human rights in its conception of the national good. Despite the rhetoric around multiculturalism as a blueprint for other nations to model themselves after, the future of state-sponsored policies is far from certain. Ultimately, the pressure is on multiculturalism to prove to the world that it can indeed promote meaningful social integration, advance genuine equality and create cohesion in the idea of unity though diversity.
Endnotes:

2. Isajiw, Wsevolod. 1999. Understanding Diversity: Ethnicity and Race in the Canadian Context. Toronto: Thompson Educational Press Inc. p. 11, based on World Factbook accounts of number of states containing four or more ethnic groups.
4. ibid


Hage, Bannérji, Bissoondath


Ley, David. 2007. “Multiculturalism: A Canadian Defense” RIIM WP 07-04, Research on Immigration and Integration in the Metropolis (RIIM), Vancouver


Chapter 1: Introduction


In the Australian case, the dominant majority is considered by Hage to be Anglo-Celtic.


ibid. p. 187


In Australia, the concept of a dominant group usually refers to those of Anglo-Celtic ancestry.

Review of the Literature:
Support, Criticism and Challenges for Contemporary Multiculturalism

2.1 Review of the Literature

Multiculturalism may be many things, but easy isn’t one of them. The effort to establish and maintain a civil society is always a delicate balance of competing interests, influences and values; and the introduction of widespread ethnocultural diversity compounds these already significant challenges. It is here that multiculturalism locates itself, at the crossroads of: expanding transnationalism and immigration; historically normative standards in social structure and values; the power struggles of racism, fundamentalism and protectionism; and the hope that peaceful integration can in fact exist. Subsequently, both state-sponsored and demographic multiculturalisms find themselves burdened with heavy expectations, as well as equally heavy blame when these expectations are not met. In the modern era, demographic multiculturalism is a social reality – one that is highly unlikely to be reversed. However, the future of state-sponsored multiculturalism is not so certain. Ultimately, the challenge state-sponsored multiculturalism faces is to prove firstly that it is not the sole cause of the myriad problems attributed to it, and secondly, that it is capable of living up to the aspiration of equality-based civil harmony contained in its own rhetoric.

There is a broad spectrum of success in state-sponsored multicultural policies in Western nations, ranging from Canada’s widely supported and reasonably effective constitutional model, to the short-lived partial policy in the Netherlands, which has left in its wake a nation battling both racism and ethnically framed violence with few positive results. The details of the different multiculturalisms in the Netherlands, Australia, Britain and Sweden will be discussed in a brief policy review below, while a more detailed policy review of Canada can be found in the third and fourth chapters. However, prior to engaging in a review of any state’s policy, it is important to understand the breadth of challenges common to all state-sponsored multiculturalisms.
Regardless of nation, state-sponsored multiculturalism faces critiques on several grounds, namely that it: fosters isolation and ghettoization; supports a capitalist racialization of labour and poverty; forces ethnically framed people to foreground their ethnicity and culture whether they want to or not; provides a mechanism for hiding social injustice behind a mask of celebration and smiles; compromises grassroots efforts through state cooption; disadvantages ethnically framed women; and generally serves historically dominant groups as a political tool. In contrast to this are the arguments that multiculturalism, when done well: fosters intercultural dialogue; provides a forum for facing difficult issues of national belonging; highlights the concerns of women; sets valuable goals for economic inclusion and labour market participation; educates to prevent systemic and daily racism; recasts the national mainstream to include ethnically framed cultures; and generally is a political tool for ensuring equality. As one might imagine, given the wide gap between critical and supportive points, the burden of proof is substantial for academics taking either side of the debate.

2.2 Challenges to State-Sponsored Multiculturalism as a Social Philosophy

In 1976, Canadian historian Howard Palmer said of multiculturalism, “Perhaps we should not be too harsh in our judgment of a policy which is so new, and which is working against one of the oldest and most persistent of human vices: ethnic and racial prejudice.” This is both a valid and dangerous point. Unsubstantiated criticism of multiculturalism, attributing to the policy problems that are the product of broader social difficulties of coexistence, can cause great damage to something that is attempting a very difficult task – the reordering of historically dominant values, society and culture to equally include, embrace and support ethnically framed groups with no strings attached. In essence, over-zealous and ill-thought-out attacks can harm efforts by historically dominant groups, politically and socially, to do “the right thing.” However, the avoidance of criticism altogether is never of benefit to the greater good, particularly when it allows the historically dominant group to continue to define without input from ethnically framed groups exactly what “the right thing” and “the greater good” might mean. Therefore, policy criticism must be weighed against not only the pros and cons of the
policy itself, but also against the actions that might occur were the policy not in place to begin with.

2.2.1 “Multiculturalism Enables Ethnic Segregation”

One of the most serious charges leveled against multiculturalism is the claim that rather than promoting integration, the policy is in fact responsible for creating ethnic segregation and ghettoization. Rightly or wrongly, this has been the main rationale for doing away with the policy in Sweden and the Netherlands, and is a claim currently being made in Britain by Trevor Phillips, who holds substantial influence as head of the government established Commission for Equalities and Human Rights. While the same claim has also been made about Canadian multiculturalism when the policy was younger, evidence from recent decades is mounting that the foundational philosophy of the policy in Canada does not support a reading of multiculturalism as a dividing force. As one of the main discussions of the thesis, the evidence on this issue will be presented as the chapters unfold.

2.2.2 “Multiculturalism Supports the Spread of Racist Capitalism”

One of the most persistent critiques of multiculturalism is that by creating the impression that all is well within ethnically framed communities, Western nations are able to exploit these people’s labour. Unfortunately, those who take this line of critique often fail to locate their perspective in specific policies or locations. For example, Colin Mooers argues that multiculturalism embraces diversity in a way that fetishizes “the other” as a commodity, while simultaneously obscuring a vision of the real labour and class inequalities of race relations in a capitalist system. According to Mooers, who bases much of his theory on the work of Himani Bannerji, liberal capitalism has created a system of citizenship that is both abstract and prescriptive, guiding people to a perception of equality that remains unrealized. Multiculturalism aids in this by encouraging the belief that liberal capitalism is capable of promoting inclusivity for all peoples, both dominant and oppressed. Rather than actually acting to facilitate inclusion,
multiculturalism instead engages in a form of difference recognition that labels "the other" as exotic, different, monstrous and/or fascinating. The very philosophy that drives multiculturalism in a liberal society is therefore based on the consumption of "the other" as a form of commodity, while erasing the visibility of the labour of "the other" in an unequal economic system. Under this system, multiculturalism acts to enable the capitalist exploitation of immigrant and ethnic labour, while creating an abstract construct of equality based on diversity, but fails to actually deliver concrete forms of equality. This reading of the policy is also shared by Fleras and Elliott,\textsuperscript{51} Floya Anthias,\textsuperscript{52} and to a certain extent, Ghassan Hage.\textsuperscript{53}

It is important to observe that there is a substantial amount of information supporting the idea that significant labour market inequalities persist along racial lines in these countries. However, what remains unclear in these critiques is whether or not this inequality would function similarly without state-sponsored multiculturalism. None of the above authors spends time dealing directly with the actual workings of the policies, weighing the nation's policy decisions in terms of results that can be traced back to a specific policy decision or piece of policy language; indeed, multiculturalism is handled as an abstract concept for use by the state in making people feel happy about a situation which is racially unjust. Ironically, as Audrey Kobayashi points out, in Canada, multiculturalism has had a significant role since the mid 1990s in combating labour market inequalities; however, Kobayashi does state in connection with these steps forward that racism still exists (particularly in popular media and the labour market) and must be more widely recognized by the system.\textsuperscript{54} This concept is supported by the 2006 annual priorities of the Multiculturalism Program, which openly identified "systemic discrimination" for women and ethnically framed groups in the labour market as something that multiculturalism must tackle with corrective measures, education, resources and strong commitment.\textsuperscript{55} While Mooers and Bannerji's critiques of Canadian multiculturalism may have been accurate in the 1980s and early 1990s, they are a hard sell in contemporary times. If the authors had differentiated between popular cooption or media misuse of the policy versus the aims of the policy itself, then their criticisms would be more valid. This is not to say that racial inequalities in the Canadian labour market no
longer exist, but merely that claims against state-sponsored multiculturalism for supporting this inequality is a false reading of the situation, based largely in popular perceptions and not in policy realities. It should be noted, though, that critiques such as Hage's review of Australian multiculturalism and Anthias's work on Britain remain more accurate by virtue of the fact that multiculturalism in these nations has not taken on labour market inequalities with the force that Canadian policy has in recent years. While employment equity policies do exist, they are largely independent of multiculturalism.

2.2.3 "Multiculturalism Forces People to Identify as Ethnic"

Multiculturalism, whether state-sponsored or demographic, faces some of its most significant philosophical challenges here, owing largely to the fact that as a plurality discourse, the concept relies heavily on the identification of multiple "others." The wealth of information on concepts of racialized difference and identification of "the other" is vast, and is not the core subject of this body of work. However, it is important to briefly examine this idea because it informs the framework under which state-sponsored multiculturalism operates.

Many of the critiques of multiculturalism on this front emerge from the lived experiences of academics and as such they should not be easily discounted. It is one thing for Bannerji to claim that multiculturalism supports "racist capitalism" without referring to the policy, and an entirely different matter for her to say that she has a lived experience of exclusion, regardless of any policy intentions to the contrary. Neil Bissoondath and (in an Australian context) Ghassan Hage have similar responses to the policy - namely that they have found it to be a mechanism of the state by which they are labeled "ethnic" and subsequently managed in strategic ways that keep them to the margins of the nation. Hage's work on this is particularly compelling because he combines it with interview data from white Australian respondents on the nature of Australian identity and the construction of national spaces. Hage also produces the most convincing argument for the policy's role in creating unequal racial dynamics of power and naming, not through details of the policy, but by concretely illustrating how it has been used to produce this
effect. In Canada, Eva Mackey’s field research in Ontario around understandings of Canadian multiculturalism identifies similar concerns, where many respondents of the historically dominant community emphasized the need for ethnically framed people to celebrate their diversity in private, and to publicly assimilate to “Canadian” values. The respondents also complained that Canada’s emphasis on diversity had granted ethnically framed people special recognition that “Canadian Canadians” did not get to share in.\textsuperscript{59}

Looking at the multiculturalism’s of Europe, it is almost impossible not to acknowledge that the policy is designed to “manage ethnics” when the policy guidelines openly state that multiculturalism is for ethnically framed immigrants and not for Europeans.\textsuperscript{60} (This will be discussed in more detail when European policies are reviewed below.) However, in Canada and Australia, the policy is supposed to be for everyone, to celebrate and preserve all cultures equally. However, as these critics and others point out, the theory and reality of this are often far apart. In a Canadian context, Kas Mazurek observes, “The heart of the matter is that multiculturalism – as articulated at its formal inception as state policy in 1971 – was a genuinely radical social vision that was soon seen to constitute a threat to the hierarchal status quo in Canada. Consequently, to preserve the status quo, the policy had to be subtly transformed and its radical potential neutralized.”\textsuperscript{61} Mazurek contends that this was achieved through increasing the emphasis on cultural celebration, and de-emphasizing “the amelioration of economic, political and other social disadvantages suffered by minority ethnic groups.”\textsuperscript{62} Mazurek, in 1992, predicted that multiculturalism would falter severely over the next decade, based on the previous decade’s results. However, as chapter four will discuss, the change of government from Conservative to Liberal in 1992 resulted in a renewed commitment to the policy’s functional rather than symbolic value, as well as a revision of its foundational philosophies, and throughout the 1990s and early 2000s, the policy progressively strengthened its capacity to produce real world change rather than symbolic inclusion. However, that being said, the charges these scholars make against multiculturalism are an ongoing challenge to the policy, and one that must be continually reassessed. Multiculturalism faces the greatest challenge to its legitimacy when it uses the
identification of difference for the purpose of propagandizing inclusion at the expense of concrete actions towards realized equality.

2.2.4 “Multiculturalism is Bad for Women”

Over the years, the charge has been repeatedly laid that multiculturalism is bad for women, and it is consistently one that fails to locate itself in any actual policy language. There are serious problems, which will be discussed in detail in chapter five, with unequivocally equating state-sponsored multiculturalism and demographic multiculturalism when it comes to gender. One camp of thought on this subject is the universalist argument, represented predominantly by Susan Okin, that multiculturalism encourages the spread of patriarchal cultures, and subsequently provides a framework under which patriarchal cultures can immigrate to and flourish in liberal Western nations. On the opposite side of the argument, but still making the point that multiculturalism is bad for women, are feminist antiracist scholars, represented largely by Bannerji, who contend that multiculturalism hides racial inequalities and therefore disadvantages women of colour.

The difference in these positions is substantial, particularly given the backlash Okin has received from the antiracist feminist camp for her essentialization of patriarchy and gender based violence as products of ethnically framed cultures. An example of this reasoning can be found in the works of Fleras and Elliott who, although attempting to consider the position of women, do so from a culturally normative Western standpoint. In attempting to illustrate how culture can conflict with basic human rights, Fleras and Elliott zero in on the practice of female genital mutilation (FGM) – something that is becoming an increasingly critiqued tactic by feminist antiracist scholars as a sensationalized rallying point that disproportionately captures the imagination of the West as an example of “savageness” on the part of ethnically framed cultures. While FGM is definitely a cause for concern, to use this as the primary example of a cultural practice violating basic human rights is to take an extreme practice, affecting proportionally few women in relation to other gender-based violence that Canadians from
all cultural groups face, and to inflate the perception that the cultural practices of ethnically framed groups are simply incompatible with the values of civil society. Considering that this type of essentialism is critiqued elsewhere in Fleras and Elliott’s work, it is a remarkably poorly chosen example – one that appears more than once through the book. So, although Fleras and Elliott are aware of racial essentialisms when it comes to problems with multiculturalism, they appear unaware of the same concerns within their own work. Their discussions tend to be overly informed by the type of second wave feminist approach Sherene Razack critiques as an identity based on a saviour mentality, unequal power relations and stereotypical representations of women of colour in need of rescuing from their own cultures. Thus, while universalist feminists (a la Okin) and antiracist feminists can agree that multiculturalism is bad for women, both camps cannot agree on the reasons why – the first group contends that multiculturalism interferes with the law’s capacity to limit harmful cultural identities and practices, in essence giving them too much freedom to do as they like, and the second argues that multiculturalism retains too much control over the identities and cultures of ethnically framed people, in essence managing them as outsiders.

2.3 In Support of Canadian Multiculturalism

Few scholars can be said to have done more for defending the foundational philosophies of Canadian multiculturalism than Charles Taylor and Will Kymlicka, both of whom have contributed core texts on how to resolve seemingly impossible contradictions in diversity debates. The works of Will Kymlicka, arguably Canada’s foremost scholar on multiculturalism, have been enormously influential, particularly his 1995 book *Multicultural Citizenship: A Liberal Theory of Minority Rights*, which provides a detailed clarification and defense of different aspects of collective rights as they relate to national diversity. While the scope of his theories is too vast to relate here, many of them appear throughout the following thesis chapters. Suffice it to say that Kymlicka is one of Canadian multiculturalism’s true champions, whose work consistently and persuasively defends the compatibility of multicultural values and policies with modern liberal societies.
Also highly influential and written in the same period as Kymlicka's *Multicultural Citizenship*, is Charles Taylor's article *Multiculturalism and “The Politics of Recognition.”* Written in 1992 in response to the failure of the Meech Lake Accord, the treatise provides a refutation of the idea that diversity had failed in Canada and was potentially a problem that could not be fixed. In place of a "politics of difference," Taylor argues for a new way of conceptualizing how individuals interact, namely by suggesting mechanisms through which mutual valuing rather than difference might form the initial contact between people, and subsequently their societal relationship as it develops. Taylor contends that in Canada, "two conceptions of rights-liberalism have confronted each other, albeit in confused fashion, throughout the long and inconclusive constitutional debates of recent years" — "English Canada's" concept of equality as same treatment for all peoples, and Quebec's and Aboriginal claims for collective rights based on the vulnerability of their positions within the nation. However, according to Taylor, efforts at compromise between the two positions failed in the late 80s and early 90s because each felt threatened by the presence of the other. Taylor proposes a way forward through this apparent stalemate by insisting, "One has to distinguish the fundamental liberties, those that should never be infringed and therefore ought to be unassailably entrenched, on one hand, from privileges and immunities that are important, but that can be revoked or restricted for reasons of public policy — although one would need a strong reason to do this — on the other." In this spirit, "the importance of certain forms of uniform treatment" should be weighed by governments against "the importance of cultural survival, and opt sometimes in favour of the latter." Guided by a politics of equal recognition and respect, Taylor urges that societies shift their perspective towards these collective rights. "Just as all must have equal civil rights and equal voting rights, regardless of race or culture, so all should enjoy the presumption that their traditional culture has value." (Taylor is unsure that this should be a full right, but a proposal for what such a full right might look like will be presented in chapter six of this thesis). To that end, Taylor finds that the principles of multiculturalism in Canada "build on" this commitment to a "politics of equal respect."
2.4 Surveying Views on Multiculturalism in the Metropolis Project

In Canada, many of the top scholars on multiculturalism and immigration participate in the Metropolis Project, an international initiative pioneered in Canada to study all things related to immigration and integration, and to make the research results widely available so that scholars, policy makers and community activists can work together to understand and improve conditions for Canadians. It is useful to note that this initiative is funded by various government branches (including Canadian Heritage) and is a testament to the encouraging collaborative direction multiculturalism has taken in recent years. In this context, it is useful to examine what the current thinking is on the policy, comparable to taking the pulse of Canadian multiculturalism. However, before beginning down this road, it is also important to point out that those scholars who contribute to the Metropolis Project, though diverse in their fields, have already to a certain extent “bought in” to the idea of a government-sponsored multiculturalism, or at the very least, to the concept of government-academic pairings over policy in a liberal framework. While there are some dissenting voices, these academics do not tend to represent either the far left or the far right in terms of approaches to policy.

The idea of multiculturalism in the Metropolis working paper series is both critiqued and supported by different authors (and sometimes by the same author), as is the case more broadly in academic literature. It therefore comes as no surprise that academics are not of one mind about the policy. However, while Metropolis authors locate significant ongoing challenges for multiculturalism, particularly around ethnically framed participation in the labour market and in settlement issues, the vast majority of contributors view multiculturalism as a useful (though not fully realized) tool in combating discrimination and pursuing equality. Their research is comprised primarily of case studies and research surveys on specific issues, relating almost entirely to policy making and the effects of policies already in place.

Although there are several hundred working papers in the Metropolis Series, those that deal with multiculturalism directly tend to be grouped around a number of core
subjects whose repeat appearance in scholarly investigation indicate locations of ongoing challenge for Canadian multiculturalism. These areas can be loosely grouped as issues of inclusion around urban planning and governance, media depictions and public perceptions of diversity, and employment equity/barriers for people from ethnically framed groups.

2.4.1 Building Inclusive Cities

One of the foremost locations for judging the effects of multiculturalism policy, rightly or wrongly, is in the ethnic integration of major urban centres, marked as much by what is not seen (civil unrest, race riots, ghettoization, etc.) as by what is seen (participation in governance, diversity in regionalization, access to and use of services, etc.). Several case studies appear in the Metropolis Series on matters relating to these issues, both what is seen and what is absent, lending evidence to the idea that while multiculturalism in Canada remains an imperfect policy, the nation is better off trying to improve it than do away with it.

Using Canada as an example, David Ley argues that multiculturalism is a useful tool in combating discrimination and isolation, if used properly. Ley demonstrates the functionality of the policy in conflict resolution on the “monster home” conflict in Vancouver in the late 1990s, where an influx of Chinese immigrants disrupted what the historically dominant community perceived to be its right to determine the architecture of the neighbourhoods. In that instance, Ley finds that multiculturalism is capable of preventing a historically dominant majority from imposing nostalgic readings of the city over the rights of immigrant populations to make changes. In that specific case, multiculturalism intervened to protect ethnically framed communities from being forced to conform to historically dominant cultural standards, granting them recognition and authority in public space; multicultural policy was also used to mediate the dispute in such a way that the long-term residents and the newer migration of Chinese-Canadians were able to reach a compromise that satisfied everyone. (It is useful to note in relation to Minelle Mahtani’s work - which will be discussed below - that Ley refers to the
damaging role of the media in exacerbating ethno-cultural conflict between ethnically framed and historically dominant groups. The successful multicultural policy intervention was only achieved in negotiations between the city and the stakeholder groups behind closed doors, after the media was removed from the situation.

Ley, whose recent work compares Canadian and European policies, contends that it is not multiculturalism itself that is creating isolation and a lack of social integration in Britain, but a failure to adequately practice multiculturalism and therefore to only partially transform society to support diversity. This idea is echoed in Sandercock, Dickout and Winkler’s findings on the Sri Lankan Tamil community in Toronto. Although the authors identify a sense of isolationism in the Sri Lankan Tamil community, this was caused by a lack of confidence in the strength of multiculturalism; the rhetoric of the policy proved to be far stronger than the actual practice. Sandercock refers to this as a lack of “rich multiculturalism.” This is mirrored in the research of Annick Germain, cited by Sandercock, who claims that Canada contains a “peaceful but distant” interaction between ethnic groups that does not easily encourage a sense of shared belonging in the community, but may help to diffuse potential conflict situations through protocols of polite distance. It would seem from the articles by Ley and Sandercock et al that the danger of ethnic isolation results not from the practice of active multiculturalism, but from a half-implemented weak multiculturalism that does not live up to the language of human rights and equality contained in the policy itself. They provide specific policy recommendations for local, provincial and federal governments to address the gap between the promise of multiculturalism (or what they call the potential of “rich multiculturalism”) and the reality of partial citizenship and ongoing discrimination.

The gap between weak and strong multiculturalism rests in many cases on the delivery of services to the community, and to the environment of acceptance created in the general environment through both policy and popular media. As Ley points out, multicultural policy is enacted not only on grand-scale, nation-wide policy levels, but also (and perhaps most effectively) on smaller local levels.
Jurisdictional issues appear to cause problems with multiculturalism in Canada, often created by both federal/provincial jockeying over funds and responsibility, and by the slow growth of municipal involvement in multiculturalism despite the fact that municipalities are very much implicated in the success (or lack thereof) of multicultural integration in major urban centres. In their review of local level government involvement with multiculturalism, David Edgington and Thomas Hutton find that jurisdictional concerns between municipal, provincial and federal governments often impede the delivery of services. Their review of policies in the Vancouver area shows that while “core areas” such as Vancouver, Richmond, Burnaby and New Westminster have more programs and policies in place to support multiculturalism, areas towards the Fraser Valley show extremely low levels of what Edgington and Hutton call “multicultural readiness” – the capacity to positively respond to increased diversity in the population. Ley’s research on the Vancouver “monster home” conflict demonstrates the policies Edgington and Hutton refer to, and provides a convincing rationale for supporting Edgington and Hutton’s claim that “multicultural readiness” must be increased at the municipal level of government in order to facilitate integration and a sense of social belonging amongst immigrants. Hiebert’s projections on the 2017 population of Vancouver correlate with Edgington and Hutton’s recommendations, demonstrating that significant diversity will continue to increase in the Vancouver area, especially in its periphery, and that policies must be prepared for this shift.

Despite the encouragement for increased municipal engagement, the observed lack of “on the ground” involvement for multicultural integration recorded by the researchers shows that there are obvious gaps between Canadian multiculturalism’s rhetoric of inclusive society, and the capacity to actualize inclusion through programs and jurisdictional cooperation. However, what is significant in the study is the fact that the researchers feel the situation can be resolved. Indeed, the study itself was commissioned by local government in order to help municipalities become better prepared.

One possible challenge for integrating multiculturalism policies in municipalities may be the lack of diversity in government itself. Both Jerome Black and Carolle
Simard independently find that there is a persistent under-representation of women and ethnically framed people in positions of political influence—a situation Black contends limits the ability of these groups to participate in the equal formulation of Canadian citizenship. Simard examines the ethnic background of sixteen municipal councils in Quebec in order to determine participation rates, access to voter groups, and percentage of ethnically framed people occupying positions of political authority at a local level. Her findings reveal that ethnically framed people have lower rates of election to municipal government than those of historically dominant groups, and women have disturbingly low success rates at being elected for both groups. Simard concludes that ethnically framed group participation rates remain well below the proportional average based on population, particularly in areas outside metropolitan centres. This indicates an urban/rural gap in adapting/responding to increased diversity in population.

The transformation of major Canadian urban areas is the subject of many articles in the Metropolis working paper series. Although not all these articles deal with multiculturalism, they engage the topic of increased ethno-cultural diversity and the need for urban planners and governments to respond accordingly. Of these articles, Sandercock provides perhaps the most useful exploration of this increased diversity in the context of future directions for multiculturalism in Canada.

Like Ley, Sandercock rejects the idea that multiculturalism should be abandoned because it functions to keep ethnic groups divided. In her review of British and Canadian urban planning philosophies around inter-group engagement and cohesion, Sandercock claims that coping with a politics of difference is an unavoidable reality in current times, and as such one should not desire to do away with this, but instead to engage it in productive ways. Multiculturalism, Sandercock finds, is a useful means of dealing with difference. However, Sandercock qualifies this with an appeal for what she terms multicultural perspective. Multicultural perspective involves widespread and committed integration of the founding principles of equality, belonging and identity that are contained in multiculturalism. Sandercock acknowledges that multiculturalism can have multiple meanings, and therefore multiple policy and ideological implications. She
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defines useful multiculturalism as two key ideas: the right to difference, and "the right to the city" – the right to inhabit, change, define and occupy the city, in short to treat the city as those of historically majorities have traditionally done. The first, Sandercock argues, must move forward in tandem with the values and practice of human rights; the second is based on the recognition that ethnic groups have a right not only to belong, but also to own, to freely inhabit, to shape, to direct, and to (in short) behave in the city as those who currently enjoy "rights to the city." However, at its core, if multiculturalism is to succeed, it requires as deep a commitment as possible to the higher values of multiculturalism, and a necessary integration of these values across all aspects of Canadian life. In Sandercock's view, the way forward is not to abandon multiculturalism, but rather to practice it to the fullest of its potential.

Sandercock's work on the concept of a multicultural perspective follows critiques she received for her widely read but highly critiqued book Towards Cosmopolis, in which Sandercock praises Canadian multiculturalism highly to the extent that some critics felt she had not accurately assessed some of the problems with the policy. Acknowledging the validity of these concerns to a certain extent, Sandercock worked to develop her concept of multicultural perspective. By her own admission in the above article, the earlier findings of Sandercock's book Towards Cosmopolis – namely that the normative idea of multiculturalism could be equated with cosmopolitanism for greater social inclusion – was a problematic conclusion. Sandercock acknowledges that Western democracies have always racialized the political and social processes of belonging, which include policies such as multiculturalism. According to her revised position, multiculturalism must therefore be examined more closely before it can be used as the basis for urban planning and other decisions that forward ideas of social belonging and participation. However, Sandercock is not willing to abandon the idea that multiculturalism can be made to work. Similarly she insists that an understanding of "difference" is a key component, but it need not be abandoned or viewed in isolation; the way forward is to engage continuously with the paradoxical questions of difference, knowing that they cannot productively be abandoned any time in the foreseeable future, and must therefore form a part of any solid line of questioning. Sandercock's frank
evaluation of her earlier willingness to accept the policy at face value yields productive ideas about moving forward in a more critical way. This is achieved namely through examining rights and privileges held by historically dominant groups, and questioning the authority and capacity of the policy to increase inclusivity in the face of reluctance to change.

Saloojee’s review of multicultural policy in Canada comes to similar conclusions. Saloojee contends that multiculturalism is not living up to the standards of equality in democratic citizenship. The error, in Saloojee’s view, that is causing multiculturalism to fall short of its potential is the emphasis on group ethnicity and cultural retention. This focus should be set aside in favour of increased emphasis on social integration based on belonging, active participation and equal access, specifically in political and labour market arenas. Saloojee calls on the government at local, provincial and federal levels to increase its level of involvement, evaluation and accountability to the core values contained in the notion of multicultural citizenship, and to be more vigilant about ensuring that the emphasis on social integration is based on full participation and human rights.

Social integration is a large issue for many authors in the Metropolis working papers series. However, there are differing views on whether or not full integration should be viewed as the most desirable end result. Qadeer contends that not all forms of ethnic segregation should be viewed negatively, as the result of social inequality and discrimination. Many ethnic neighbourhoods have grown organically and provide valuable resources, networking opportunities and business opportunities to ethnically framed groups. Neighbourhoods may also be based on other forms of identity identification, such as sexual orientation, national or linguistic ties. Qadeer argues that not only should one not assume that the presence of ethnic enclaves is automatically negative, one should not assume that all enclave communities are ethnically or economically-based.
2.4.2 Media Depictions and Public Perceptions

At a surface level, one can contend that official multiculturalism in Canada is designed to break down stereotypes and promote integration through common equality. However, despite a commitment to undoing narratives of inequality, Canadian multiculturalism has its own set of myths and narratives that are both supported by and projected through the policy. Subsequently, while multiculturalism may battle the media when it comes to racial profiling, multiculturalism’s reliance on ethnic identity creates its own problematic form of labeling. As various Metropolis researchers have illustrated, multiculturalism in Canada is as much about perception as it is about policy.

Michael Doucet\(^6\) looks specifically at Toronto, evaluating its reputation as a multicultural city. Like Sandercock, he rejects the easy equation of cosmopolitanism with multiculturalism, arguing that the presence of increased diversity does not necessitate multicultural engagement. Doucet finds that although Toronto has overly elevated the level of its multicultural success, multiculturalism has played an important role in establishing positive social change. Like many others in the Metropolis working paper series, Doucet contends that multiculturalism, imperfect as it is in its current manifestation, has much to offer and should be pursued more vigorously in order to bring about widespread social change based on equality and belonging. However, Doucet’s research highlights how multiculturalism’s reliance on perceptions of inclusion is as important and “real” to the people of Toronto as the policy’s actual implementation. This raises concerns about whether Canadians, with their longstanding attachment to multiculturalism as a national philosophy, are able to see the policy clearly, as an entity with concrete effects.

Doucet is not alone in identifying the problematic link between Canadian multiculturalism and the myth of an almost idyllic diversity. Both Michael Doucet\(^7\) and Harold Troper\(^8\) examine the urban legend of the UN declaration of Toronto as the world’s most multicultural city, and find that it is more fancy than fact. Although there is substantial diversity, neither find evidence that the city can lay claim to the title, or that
the awarding of the title ever actually took place. However, Troper claims nothing defines Toronto as a city more than its historical and contemporary engagement with cultural pluralism, despite the fact that this engagement is contested and imperfect. He frames this as Toronto having a love of pluralism and a discomfort with immigrants – a contradiction whereby human beings and cultures are neatly, and falsely, divided from one another. Applying Troper’s finding more broadly, this seemingly impossible dichotomy can arguably be located within the policy itself, where individuals have rights and cultures belong to groups, but where cultural rights for individuals remains an uncomfortable matter for multiculturalism.

The engagement between narrative and history, between the perception of culture and the treatment of individuals, is a core struggle for many authors reviewing multiculturalism. While Doucet and Troper both reference Toronto’s problematic multicultural reputation, both also locate the media as a culprit in exacerbating social difficulties and misrepresenting diversity in particular ways depending on whether the desired effect is to elevate multicultural Canada or to sensationalize the actions of a particular immigrant group.

Minelle Mahtani provides two articles that critique the role of popular media in shaping attitudes to immigrant and ethnic group acceptance and integration. Her findings show that negative stereotypes, constant under-representation and deliberate misrepresentation are key factors in shaping anti-immigrant, anti-minority attitudes in the mainstream. This affects not only public attitudes, but also material considerations; specifically, she considers the treatment of Chinese immigrants and refugees in Vancouver, and Muslim immigrants in Sydney, Australia. In both cases, she and her co-authors demonstrate that negative media depictions have far reaching consequences. In understanding this, Leonie Sandercock’s idea of “right to the city” is particularly useful. According to Mahtani and her co-authors in the two articles she has produced for Metropolis on media, negative depictions create low public support levels, which impact immigrant and ethnic minority access to community development. Because the stereotypes and depictions in the media create a vision of immigrants and ethnically
framed populations as the source of civic problems, bringing with them disease, chaos, violence and a strain on social resources, they are seen as undesirable additions to already-established communities and neighbourhoods, and they are therefore denied what Sandercock terms the "right to the city."

While this goes against the principles of multiculturalism, Mahtani and her co-authors (Dunn in 2001, Mountz in 2002) find that a deliberate government intervention in the name of multicultural equality can provide a powerful reassessment of media portrayals of immigrants and ethnically framed groups, influencing public opinion polls in favour of diversity. She therefore urges the government to become far more involved in media delivery, and more active in utilizing multiculturalism to prevent media abuse in the form of under-representation and misrepresentation of non-white populations. In this context, Mahtani is an advocate for a stronger state-sponsored policy.

Mahtani’s findings are interesting when placed next to work by Hiebert, Collins and Spoonley about neo-liberalism in Canada, Australia and New Zealand. The authors find that in recent decades Canada has had an almost unwavering positive public opinion of immigration, unlike Australia and New Zealand. Immigration in Canada is linked in public opinion to economic growth, a way of replacing population because of a low national birthrate, and a means of combating the potential labour shortage caused by the retirement of baby-boomers from the workforce. Hiebert, Spoonley and Collins find that although these situations exist in all three countries, Canada is the most strongly committed to multiculturalism, the most in favour of immigration, and the only one of the three not to have elected right-leaning politicians in the past two decades who have openly advocated for a white population and a reduction in support for the retention of diversity.

In addition to the comparison of Canada, Australia and New Zealand, Hiebert has recently released a study of the degree to which immigrants felt welcomed and welcomed others into the Vancouver area. The results of this survey show that for the most part, multiculturalism remains strongly supported by Vancouverites, both newly arrived and
Canadian-born. Hiebert did find, however, that the degree of support for immigration and multiculturalism varied with different factors such as education, income and gender of the respondents. For example, women were overall less supportive of immigration and more supportive of multiculturalism than men, which Hiebert attributes to the labour market competition for lower wage jobs between women and immigrants, and to the general social attribution of culture preservation to women. An interesting cross-correlation to Mahtani’s work on media is Hiebert’s finding that the more educated a person is, regardless of gender, the more they are inclined to favourably support immigration; this could indicate that those who are well educated are less susceptible to media tools such as under-representation or misrepresentation, and are overall more inclined to form long-term opinions based on other sources of material, or alternatively that they perceive they have less to lose in terms of labour market competition.

Hiebert’s findings also indicate that native-born Canadians are more accepting of immigrants from diverse parts of the world than are other immigrants, indicating that long-term participation in a society espousing the values of multiculturalism may act to favourably dispose Canadians to diversity and immigration. Interestingly, both native-born and immigrants desired a common Canadian culture, and felt that immigrants should adapt to a Canadian value system; multiculturalism plays a complicating role, ensuring that this common Canadian culture and value system is pluralized. This begs the question of whether or not Canadian values and common culture are more desirable because they are not seen to be singular. In effect, both immigrants and native-born populations desire to be Canadian, and to inhabit a country with other Canadians, but there is a certain plurality and flexibility in what this means that allows for an increased perception of inclusion and inclusivity. Multiculturalism’s role in this permits a complexity of interpretation that in other nations might be perceived as mutually exclusive or contradictory. However in Canada, not only does this seemingly contradictory complexity appear to be working, but it also appears to be working fairly well.
2.4.3 Failing in Employment Equity

Aside from articles on settlement and urban planning, employment studies form the highest area of contributed articles in the Metropolis working paper series; this demonstrates that two main unresolved areas of multicultural engagement are labour market involvement and urban settlement patterns (isolation/integration/restricted access to the city's facilities and resources). Relying on the surveys and projections compiled by Hiebert and others, Pendakur finds that despite multiculturalism, significant inequalities exist in the labour market for immigrants and ethnically framed groups. Although Pendakur feels a portion of the gap in labour market performance can be explained through factors such as lower educational credentials or specific labour choices (such as working hours), there is a persistent disparity based exclusively on ethnicity.

Although many of the papers that deal directly with ethnically framed participation in the labour market do not engage with multiculturalism beyond casual references to the presence of diversity and the general idea that multiculturalism in Canada means integration, the findings of these papers speak directly to the fact that multiculturalism still has work to do if fair and equal integration is to be achieved in the labour market through anti-racism and employer/employee education initiatives. In fact, in a survey of over thirty Metropolis Project working papers submitted over the past decade relating to labour market participation, economic situation and ethnicity of immigrant groups, all authors find that ethnicity negatively correlates with labour market performance, resulting from a variety of factors such as unrecognized education credentials, lack of Canadian work experience, and discrimination based on accent. In all research where gender is considered, women fare worse than men in closing the labour market gap, which researchers attribute to the dual obstacles of systemic gender and racial norms, and the additional family duties many women are expected to bear. According to Creese and Dowling, these inequalities are exacerbated by social beliefs about gender, which the authors contend are in part produced by multiculturalism’s reading of ethnic identity as a gender-neutral term – one that erases women’s experience
in favour of male norms. Through multiculturalism's approach to ethnicity without gender, women become invisible in the system, as does their experience of inequality.

The consistency of findings and the more than forty articles relating to ethnically framed labour market performance indicates an immense challenge to Canadian multiculturalism, the seriousness of which cannot be overstated.

Creese's work with African women immigrants offers evidence that normative value assumptions about accent, language and cultural practice hinder women immigrants' ability to participate fully in both the economy and society. Creese refers to one of the focus group participants who questioned whether multiculturalism was working if it failed to protect her in the job market from discrimination based on accent, not on fluency. Theoretically, under the goals of the multicultural policy and the Canadian Charter of Rights and Freedoms, discrimination based on race is not permitted; by extension, the cultural-linguistic interpretation of pronunciation (accent) should not be a barrier to the workforce or to society simply because a historically dominant norm of pronunciation has been established. However, as chapter six will discuss, the capacity for women to claim discrimination based on cultural norms is far harder than to make this claim for discrimination based on religion, race or gender, indicating a gap in the rights package multiculturalism supposedly offers. Creese claims (based on the results of these focus groups) that the racialization of language is intensely related to the racialization of a black body. (Creese does not extend the research to investigate whether white African immigrant women from parallel areas have faced similar discrimination based on accent.)

2.4.4. General Summary

Overwhelmingly, although observing current failings in the policy, authors in the Metropolis working paper series appear in favour of retaining multiculturalism, with the caveat that it should be applied to the fullest of its potential if it is to be successful. Overall, they do not support following European and Australian trends to back away from multiculturalism, or the idea that multiculturalism is fundamentally responsible for ethnic
isolation in geographic or social situations. However, all authors make reference to the idea that multiculturalism is part of a system of inequality. Authors do not, for the most part, appear to support the idea that the system would function to facilitate greater equality if multiculturalism was removed. They therefore give conditional support to the policy, and urge governments at all levels (federal, provincial and municipal) to engage more actively in upholding the human rights and higher values contained in multicultural policy. Many authors refer to the need for multicultural policy to shift its approach to cope with the changing nature of diversity, and to engage populations not as a compilation of well-defined ethnic groups, but as a population of individuals who form myriad attachments to multiple communities, and who are capable of great flexibility in their identity and national affiliations. In this context, urban settlement research, and focus group research with those from racialized groups is a powerful indicator of what is working in the system and what still needs to be addressed. In summary, Metropolis working papers put forward the idea that multiculturalism should not be done away with; it should be done better.

2.5 State-Sponsored Multiculturalisms in Other Western Nations

2.5.1 Australia

The evolution of Australia’s diversity management strategy has had four distinct stages: full assimilation, as a founding national principle; integration (in the late 1960s); multiculturalism (introduced in 1973, but coming into effect some years later); and post-Howard administration multiculturalism (post 1996). As Christin Inglis relates, “For most of Australia’s history the favoured policy was that of assimilation, which assumed, and required, that immigrants would rapidly adopt Australian culture and practices and become ‘invisible’. However, as post war economic expansion led to an increase in immigrant numbers by approximately 1% per year, by the 1960s it was becoming more and more acceptable for immigrants to retain their cultural practices as long as they did so in the privacy of their own homes. This change in public attitude was marked by the introduction of the Integration policy in the late 1960s, which was not so much an active
policy as it was a public declaration on behalf of government that private identities were fine as long as they did not exist in public.\textsuperscript{98}

In 1972, the "look the other way" approach to ethnic diversity, was challenged by the newly elected Labour Party. Directly influenced by the Canadian policy, the Labour government was impressed with the concept and keen to propose its own version. In a manner similar to the way Canadian multiculturalism was introduced to the House in 1971, A.J. Grassby, Minister for Immigration, released a reference paper to the government entitled, "A Multi-cultural Society for the Future." This was followed up in 1977 with another report of a similar nature, and the first official policy steps were approved by government in 1978. The Australian Institute of Multicultural Affairs (which later became the Office of Multicultural Affairs) was instituted by an act of parliament the following year, with the mission to promote tolerance, social cohesion and intercultural understanding.\textsuperscript{99}

Another significant step forward for Australian multiculturalism came in 1989, with the introduction of the \textit{National Agenda for a Multicultural Australia}. This document expanded multiculturalism to include Anglo-Celtic and Aboriginal peoples, offering them access to cultural resources and equality appeals. The multicultural program, having emerged as a distinct policy entity by the early 1980s, expanded through this move, setting up the community consultation process that took place in the mid 1990s, whereby the Labour government sought to determine how best to provide services and expand equality through the program, particularly considering its expanded audience.

In 1994 the Labour government struck a panel to conduct the \textit{Community Consultations on Access and Equity}, which resulted in the release of a report in 1995 outlining the next evolution in Australian multiculturalism, including progressive anti-racism measures, strategies to combat labour market inequalities and new community access programs for underrepresented groups. Unfortunately, these "next steps" coincided with a change in elected government, and subsequently never made it past the planning stage.\textsuperscript{100}
Progressive steps towards equality between the mid 1980s and 1994 comparable to those made in Canada from 1992-1996 were undermined by the Howard administration in opposition and in power, with Howard’s personal animosity to multiculturalism being a well-documented matter of public record. Howard vehemently opposed multiculturalism during the 1980s, and made numerous anti-Asian remarks during the course of his early engagement with multiculturalism. Fundamentally, Howard was invested in the concept that a free market economy, influenced by Thatcher and Reagan’s ideals of competition and wealth circulation, would provide a trickle down effect of profit that would create all the necessary social cohesion Australia required. Firmly invested in the “self-sufficiency” of neo-liberal models, the Conservative administration under Howard’s guidance, set about dismantling the multicultural programs that were in place prior to the 1996 election, beginning with the full-scale rejection of the 1995 report on recommended advancements for multiculturalism. Although in the 1980s Howard advocated for the total abandonment of multiculturalism, but the time he came to power in the mid 1990s, he had figured out a way to make the concept work within the fiscally conservative strategy he had in mind. With the Canadian Conservatives demonstrating throughout the 1980s how well multiculturalism could be made to serve a Conservative financial agenda, Howard retreated from his early position on the abandonment of multiculturalism, and modified the program to suit his own agenda. Significantly, anti-racism and equality measures recommended in the 1995 report were never developed.

In place of the 1995 report, the Howard administration set about bringing in its own agenda, which Peter Murphy, Bette O’Brien and Sophie Watson describe as a program of highlighting the “economic benefits of multiculturalism” also known as “productive diversity”, beginning with the release of the 1999 New Agenda for Multicultural Australia. This document, and others of the period, emphasized the need for increasing education in Australia around the benefits of multiculturalism, primarily in relation to the economy, but entirely failed to tackle matters of social inequality, discrimination in the labour market, interracial hostilities or systemic racism. Indeed,
rather than evolving to combat systemic racism, multiculturalism under the Howard administration has become a prime example of systemic racism in action. The most recent report, entitled *Multicultural Australia: United in Diversity* from 2003, outlines four basic principles:¹⁰²

1. **Responsibilities for all:** Australians have a civic duty to support those basic structures and principles of Australian society which guarantee us our freedom and equality and enable diversity in our society.

2. **Respect for each person:** Subject to the law, all Australians have the right to express their own culture and beliefs and have a reciprocal obligation to respect the rights of others to do the same.

3. **Fairness for each person:** All Australians are entitled to equality of treatment and opportunity. Social equity allows us all to contribute to the social, political and economic life of Australia...

4. **Benefits for all:** All Australians benefit from... the significant cultural, economic and social dividends arising from the diversity of our population.

Most notable in this new policy is the entire lack of means or methods to address social inequality, which are exchanged for a host of references to individual responsibilities on behalf of individuals to support Australian ways of doing things and to not rock the boat. Rather than acting as a policy designed to promote diversity and freedoms, this is a policy that controls individual expressions of culture in such a way that there are no opportunities to redress inequalities, and no acknowledgment of the value of difference beyond a fiscal interest.

While Canadian multiculturalism now talks about antiracism and equality of inclusion, Australian multiculturalism still emphasizes the responsibilities of ethnically framed groups to integrate well into Australian society, the benefits of the policy (for historically dominant people and economic interests), and a language of tolerance that is heavily dated in its approach to race and ethnic relations. The repeated election of conservative governments, as well as a swell in anti-Asian sentiment in the mid 1990s
and anti-Muslim sentiment since 9-11 has substantially weakened the policy, and kept it from fulfilling more advanced possibilities in equality rights that had emerged as foundational philosophies earlier in Australian multiculturalism’s evolution.  

2.5.2 Britain

British multiculturalism is complex for two key reasons: firstly, there is a lack of cohesion around what exactly constitutes British multiculturalism because the policy is not one but many tiny regulations, predominantly regarding education; and secondly, a separation has evolved between multiculturalism and antiracism in the country’s policies.  

As Anne Phillips relates, the mid 1960s is the period in which multiculturalism and race relations strategies begin in Britain, however, “the subsequent evolution of multicultural policy was never codified in official statements, and many citizens would probably be surprised to discover the number of small accommodations…” Phillips uses the term “multicultural drift” to describe this process – “a series of smallish adjustments that added up to a quite substantial practice of multiculturalism.” However, while the accommodations for ethnically framed groups may have been numerous, the failure to codify the policy presents serious difficulties for those wishing to locate a specific government strategy for the purposes of review or reform. In this sense of policy mapping, British multiculturalism is more like an archipelago than a distinct land mass, meaning that it is difficult to speak to the policy as a whole.  

Despite these difficulties, one can identify a number of key legal moves around race relations that speak to British anti-racism ideas, and more broadly to British race relations in general. In this context, the lack of a formal multiculturalism policy can be seen to have created a heavy focus in Britain on notions of race as opposed to concepts of ethnicity. As Tariq Modood has argued, this has produced a heavy emphasis on “black versus white” relations, whereby Asian and Muslim concerns are subsumed in the discourses of righting colonial wrongs.  

This situation has pitted anti-racism activists against those for whom the race discourse does not serve. Ironically, Muslim Asians are
currently the most disadvantaged group in Britain, and there is no concrete framework, either through anti-racism or the British model of multiculturalism, where their concerns can be solidly addressed.\textsuperscript{107}

In 1965 Britain passed the Race Relations Act, which established a number of Community Relations Councils that functioned primarily as information gathering, information dispensing bodies related to diversity concerns.\textsuperscript{108} The act also prevented discrimination based on race. In 1968, the Race Relations Act was expanded under the Labour government to provide “protection against racism in the fields of employment, housing, and provision of a broad range of goods and services.”\textsuperscript{109} It also gave the Race Relations Board, which oversaw the act, permission to investigate racism proactively, rather than just retroactively, even in cases where it was necessary to bypass the Attorney General’s Office. However, as Erik Bleich points out, the act was not without issues. Much of the wording of the act was a result of negotiations between interested groups, and there were a large number of loopholes through which institutions could continue as they pleased.\textsuperscript{110} The early 1970s in Britain saw a number of immigration restrictions introduced by the Conservative government, limiting the increase of diversity. It was not until the reelection of a Labour administration in 1974 and the subsequent 1976 Race Relations Act that affirmative action policies were introduced (called positive action in Britain) and indirect discrimination protections were extended.

In the period between the 1976 Race Relations Act and its next amendment, in 2001, numerous small steps were made towards equality, largely in the form of the small regulations Phillips refers to as “multicultural drift”. This period also marks a substantial expansion in anti-racist academic and activist activity in Britain, despite the Conservative administration of the Thatcher and Major governments in the 1980s. Many of these occurred at local levels; as Bleich argues, most of the forward steps in this period were made by the judiciary and by local bureaucracies, with far less national-level government involvement.\textsuperscript{111}
A recent milestone during this period was the release of the Macpherson Report of 1999, recognizing the presence of institutional racism in Britain, and written in response to the killing of a black youth and the subsequent failed police investigation. Among its many recommendations, the Macpherson report recommended cultural sensitivity training and race consciousness in authoritative British institutions such as law enforcement and the education system. While hailed by many as a progressive step, the report was critiqued by some anti-racists for not going far enough, and by many on the right as a report catering to the "ethnic" vote. In 2001, the latest update to the Race Relations Act came into force, which "strengthened the 1976 Act in two major ways: it extends protection against racial discrimination by public authorities, and it places a new, enforceable positive duty on public authorities." However, these positive anti-racist steps have not been enough to stop a negative downslide in race relations in Britain. The 2001 amendments mark the last significant step forward, followed by a shift in direction marked by the strengthening of efforts to increase the "Britishness" of citizens and residents in recent years in order to promote harmony.

The post-911 period in Britain has seen a number of disquieting incidents, casting doubts about Britain's diversity management strategies - anti-racist, multicultural, educational and in terms of immigration. In 2004, a number of small towns experienced race riots, "where young Asians fought in the streets with white racists, and police and property were attacked." Investigations into the causes of the riots revealed a disturbing degree of "social and residential segregation" in labour market access, educational programs, residential patterns, social networks, and daily lives. This was described in the report as a situation where "many communities operate on the basis of separate lives." The response to this finding was to compel citizenship applicants to pass a test on their knowledge of Britishness - not just history, but public culture as well. If one fails, one must undertake a course on the subject, including language testing, coming into effect in 2005. This same year four Muslim youth, all British citizens, killed 52 people on a London train in an act of terrorism inspired by Britain's involvement in Iraq. As David Ley points out, the misdirected response was not to question foreign policy, racism in the British system or social segregation, but to question the place of
multiculturalism. According to Phillips, “Too much toleration of difference, it was suggested, was leaving young Muslims outside the mainstream of society, refusing all loyalties to Britain, available as terrorist fodder.”

While race theory in academic circles is highly advanced in Britain, this has not had the strength of impact on multiculturalism that it might have done, although it has significantly influenced the development of an antiracism strategy that is very strong. Unfortunately, in locating this emphasis outside multiculturalism, multiculturalism as a policy in Britain has remained largely celebratory, and has failed to achieve the maturity that comes with combining the two strategies. Potentially, this has been a good thing for antiracism, but has not necessarily been good for multiculturalism. Multiculturalism in Britain manifests largely as a softer, more palatable version of antiracism – one that refers to attitude change and intercultural exchange rather than systemic discrimination and colonial power relationships. Unfortunately, the ways in which multiculturalism has been used by successive governments in recent times has produced a sense of competition between the two policies. As race relations in Britain come under increasing strain, multiculturalism is seen by the left as something that is too weak to be anything other than a tool of the historically dominant group, and the historically dominant group feels that it has become too lenient in permitting multiculturalism, and that avenues of modified assimilation should perhaps be pursued. Subsequently, British multiculturalism is entering a difficult time – one that may soon see either the end or a complete overhaul of the entire concept.

2.5.3 The Netherlands

Multiculturalism in the Netherlands is a prime example of what happens when a policy with far reaching implications is put in place too quickly, without either the necessary foresight or the required supporting structures. Responding to a surge in asylum seekers in the 1980s, the Netherlands introduced a widespread multiculturalism that included advanced levels of support for diverse groups, such as a separate Muslim school system, separate housing, media and cultural dialogues; unfortunately, there
was little consultation from these groups on their needs, and the framework within the policy aimed to provide peaceful coexistence through carefully managed segregation. The result has been the most short-lived multiculturalism project in the Western world and a disturbingly high level of inter-ethnic civil unrest within the Netherlands. This is exemplified by comments from Sniderman and Hagendoorn, who claim, "In the Netherlands, as much as can be done on behalf of multiculturalism has been done." Unfortunately, what appears not to have occurred to the Dutch until too late is that it is possible to do too much in terms of managing the lives of ethnically framed people through policy, particularly when "what can be done" manifests as establishing an entire micro-community, strategically segregated and carefully managed, within the borders of the nation.

Han Entzinger has categorized the Dutch diversity program into four distinct stages: avoidance (1950-1961); ambivalence (1961-1980); the Ethnic Minorities Policy (1980-1994); and the Integration Policy (1994 onwards). To these four stages, one might add a fifth, developed in since 2004, which can be considered an all-out assimilation policy.

In the post war years, the Netherlands admitted a small number of Moluccans – a group that had fallen under the Dutch colonial influence in Indonesia prior to independence, but were now somewhat unwelcome there due to their allegiance with the Dutch army. The Netherlands granted the Moluccans temporary residence, but there was an understanding on both sides that the situation was a temporary one. As a result of their colonial history, Moluccans were not considered in the same light as other immigrants, guest workers or refugees, and were housed in separate areas, with the provision of largely separate services. It was, for all intents and purposes, a holding pattern until such time as the Moluccans returned to Indonesia.

However, in the 1960s and 1970s the diversity of the Netherlands increased, with guest workers arriving from Turkey, Morocco and Southern Europe. In addition, it became clear that the Moluccan population was becoming a permanent fixture in Dutch
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society, to the dissatisfaction of both sides. In particular, Moluccan youth were particularly dissatisfied with the conditions under which they lived as half-citizens in sequestered spaces, culminating in the 1973 hijacking of a Dutch train by Moluccan youth. Severe labour market inequalities in this period, created by an influx of low skill workers in combination with the oil crisis, exacerbated differences between ethnic groups. Layoffs and high unemployment of guest workers and immigrants led to civil unrest. It became clear to the Dutch government that some form of official diversity strategy should be implemented. However, as far as the government was concerned, only "disadvantaged" groups, or groups to whom the Netherlands owed some form of colonial obligation, were included in the programs that were to come in the 1980s: Turkish immigrants, Moroccans and Tunisians (as one group), Surinamese, Dutch Antilleans, Moluccans, Southern Europeans, Gypsies and refugees. Chinese and Pakistani groups were excluded on the grounds that there were neither a colonial group nor a disadvantaged group, and as a result were unable to apply for resources under the Ethnic Minorities Policy.  

Multiculturalism in the Netherlands has always been about providing separate services for the separate needs of asylum seekers and immigrants, and more specifically, to those from nations to which the Dutch felt some form of colonial obligation or historical connection. Although the Netherlands initially approached asylum seekers and immigrants as potentially temporary residents in the post-war period (there was a sense many may return home after a time), the government began to recognize that the situation of diversity was not only permanent, but also increasing. To this end, the government committed to a study on diversity, released in 1979, and responded to the results of the study in 1980. According to Entzinger, "This marked the beginning of what became known as the Dutch ethnic minorities policy. Under this policy migrants were perceived in terms of their group membership and not primarily as individuals." In 1983, the policy was formalized in parliament and became the official mechanism for handling diversity. The three objectives of the policy were: emancipation in a multicultural society; equality before the law; and the promotion of equal opportunity. Unfortunately, although these foundational philosophies were laudable, the policy
manifestation was less so, largely due to an additional foundational philosophy that viewed high levels of government involvement in the lives of ethnically framed people (largely without stakeholder consultation) as a right of the historically dominant group. While voting rights and other benefits were expanded, there was also an exceedingly high level of involvement on behalf of the Dutch government about the level of cultural retention immigrants “ought” to have. In direct opposition to the laissez faire model they had previously had, the Dutch went to extreme lengths to manage the lives of those who fell under the scope of the multiculturalism policy, leaving these new residents little opportunity to integrate on their own terms. While the policy was designed to be empowering for asylum seekers and immigrants, it became a heavily parental project, full of compulsory or near compulsory programs and behaviours for “ethnics,” which simultaneously acted to maintain a highly bordered set of public spaces.

In essence, the Netherlands typifies the type of multiculturalism that happens “over there” but nowhere near the mainstream. With separate schooling, housing, community development projects, religious institutions, and media, the government funded micro-nations within the nation that had little interaction with the historically dominant group. Efforts at hybridizing the two were met with complaints that ethnically framed groups were taking over, and enough had been done for them already. Simultaneously, ethnically framed people continued to experience racism and exclusion, and had the perfect segregated enclave situation within which to locate others who were dissatisfied. This has unfortunately proven to be a highly successful breeding ground for fundamentalism, which in turn has permitted a rash of anti-gay, anti-Jewish sentiments to flourish – both things that the historically dominant group firmly locates as outside their belief system.¹²⁸

A strong example of this high-level government involvement is the connection between settlement and labour patterns. Asylum seekers were often forcibly located in housing projects in rural areas, in an attempt to spread out the population increase. However, there were fewer jobs available in these areas, mostly requiring little or no skills, which produced a deskilling for asylum seekers with university education and
created a situation were those who were located by the government in rural areas suffered for low wage positions, the exacerbation of poverty, and increased dependence on the welfare state, all of which led to civil unrest.\(^{129}\)

Also significant in the Dutch case is the manner in which the policy was introduced. According to Paul Sniderman and Louk Hagendoorn, “It is widely assumed that citizens know where they are on issues involving minorities and care deeply about what is done. Political leaders, in consequence, have to respond to their constituents views or risk defeat.” However, they point out that in the Dutch case, “the government of the Netherlands did not commit itself to multiculturalism because of electoral pressures from the majority. Politicians followed the advice of policy advisors and leaders of informed opinion, not public opinion, when they committed themselves to a policy of multiculturalism. In a word, the politics of multiculturalism has operated top down, not bottom up.”\(^{130}\) This is very different than the case of Canadian multiculturalism, which was the result of a nationwide consultation by a Royal Commission on the future of Canadian diversity.

Over the decade following the initiation of the Ethnic Minorities Policy, the number of refugee and asylum groups multiplied, causing havoc in a system where resources were theoretically designated on a case-by-case basis to a cohesive social group. The Netherlands could not fund separate media outlets, housing, and schooling for all these different groups, nor did it seem that such a system was working well for those around whom the original policy had been designed. Based on the earlier system of pillarization, which had worked for the Dutch the previous century in regard to religious differences, the ethnic minorities policy rapidly began to show cracks from which it did not recover. As Joppke and Morawska relate, “State funding for ethnic minorities only helped feed a small elite of ethnic activists, along with infights and factionism, while doing little to improve the lives of ordinary immigrants.”\(^{131}\)

By the early 1990s, historically dominant groups were complaining that the Netherlands was becoming increasingly overwhelmed with asylum seekers and
immigrants – some legal and others not. The resulting economic and political pressure on the multiculturalism system, as well as a heightened lack of social cohesion, resulted in a large-scale redirection of the nation's policy goals. While this was taking place, in 1992, the government introduced dual citizenship, in the hopes of encouraging more people to commit to the Netherlands; however, this policy produced such a high number of ethnically framed people applying for citizenship, which members of historically dominant groups complained were not at all committed to the Netherlands but were taking advantage of increased citizenship rights at no personal cost. Due to the political pressures of this position the program was discontinued in 1997. Changes in government in the mid 1990s led to broad-spectrum changes in multiculturalism, in favour of emphasis on integration, compulsory language training in Dutch, and other measures away from the original policy. In 1998, the Dutch government passed the Law on the Civic Integration of Newcomers, which imposed 600 hours of mandatory language classes and cultural awareness testing on all new non-European Union immigrants.

The new direction for the policy, marked by the Civic Integration Law of 1998, has expanded in force, fed by a number of current events. Since 2001, multiculturalism in the Netherlands has become a political firestorm, pitting the Dutch self-identification as a nation of tolerance against the huge ethno-cultural rifts that have opened up over the past two decades, particularly in the context of Muslim settlement. Political responses to the events surrounding September 11th, the 2004 murder of controversial filmmaker Theo Van Gogh (great grandnephew of the famous Dutch painter Vincent Van Gogh) by a Muslim youth, and a number of race protests/riots in recent years have all left the policy in tatters.

Throughout this period, there has been increasing support for the far right in political elections, most notably with the election of Pim Fortuyn in 2002 (who was subsequently murdered) and the ongoing success of his party in recent elections. Under this right-leaning leadership, the Ethnic Minorities Policy, which had yielded to the integration policies of the 1990s, shifted yet again to become a whole-scale assimilationist policy by 2003 that immigrants and ethnically framed groups not only
have to pay for themselves, but which also provides legal grounds for deportation in
cases of failure. Pim Fortuyn campaigned on a "zero-immigration" platform, which has in
part been realized. Asylum regulations have been tightened dramatically, with airline
carriers being held responsible for false or failed identification of passengers, rapid
procedural processing with no chance of appeal, and the expulsion of "non-expellable"
asylum seekers from retention centres. There is currently a zero-immigrant policy for
workers, and only highly skilled workers are permitted entry under a strict guest worker
program with forced return migration at the end of the work period. Those who come
in under family reunification, refugee or other status, or who are currently residing non-
citizens are compelled to pay for courses in Dutch language and culture which are
compulsory not only in attendance but also in terms of academic success. In the cases of
non-refugee immigrants, tests must be paid for and taken online in advance of entry to the
country. Renewal of any visas or permits once in the country are dependent on passing
exams within the country, all of which are funded by the immigrant. There has even
been some government effort since 2005 to make it illegal to speak any language other
than Dutch in public spaces in the Netherlands.

In essence, it is now a criminal offence worthy of expulsion if one cannot afford
to be Dutchified, or if one pays and fails to become Dutch enough. It appears that in
the case of the Netherlands, a failed multiculturalism has not only meant the end of the
policy, but has unleashed its philosophical antithesis in force. Indeed, it has even become
politically incorrect in the Netherlands to refer to multiculturalism as having any success
at all.

2.5.4 Sweden

The trajectory of Swedish multiculturalism has, in many regards, been ahead of its
time both in implementation and collapse. Introduced in 1975, Swedish multiculturalism
was part of a package of anti-racist principles, including (among other social benefits)
broad-spectrum voting, welfare, and immigration rights. These policies earned Sweden
a glowing reputation as a haven for social justice. However, open asylum and
immigration policies proved to be a serious challenge to anti-racist ideals by the late 1980s.\textsuperscript{140} The influx of people from Eastern Europe and Muslim nations in the Middle East and Northern Africa created a backlash from Swedes who felt their traditional way of life was about to be lost.\textsuperscript{141} Unfortunately, rather than being able to strike a balance between immigration numbers and multicultural anti-racist principles, successive Swedish governments lost control of the situation, and earlier commitments to multiculturalism collapsed into race-based restrictions on immigration, asylum, cultural practice and capacity to expect equal protection from the law.\textsuperscript{142}

Sweden’s initial multiculturalism program, introduced in 1975 and named the Immigrant and Minority Policy, was founded on three key principles: equality, freedom of choice and partnership. As Joppke and Morawska relate, “the distinctly multicultural element in this (policy) was freedom of choice; it became enshrined in a new paragraph in the constitution, which mandated the state to protect and further the cultural identity of Sweden’s ethnic, linguistic, and religious minorities.”\textsuperscript{143} In keeping with what was to become a common trend in European multiculturalisms and in contrast to Canadian and Australian models, Sweden interpreted freedom of choice as cultural retention through separate services, including mother-tongue education, “cultural activities”, and segregated media sources such as radio, television and newspapers. In general, Sweden began enabling ethnically framed groups to occupy a separate socio-cultural space in the nation, rather than adapting mainstream Swedish media outlets, schools and public spaces to include diverse groups.

In general, the early years of the policy were widely hailed as progressive, with Sweden leading the way in willingness to address concepts such as anti-racism and equal rights packages for non-citizen residents. However, shifts in the types of non-citizens in residence, labour market trends and the legal language of inclusion brought changes to the policy in the 1980s and 1990s.

In terms of labour market shifts, post-war economic expansion in Sweden, which produced a labour shortage and attracting immigrant labour, yielded to an economic
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downturn in the early 1970s, which saw native Swedish workers placed in competition with immigrant workers for jobs. In combination with this situation, the largest numbers of immigrants to Sweden during the 1970s were refugees from Chile, Poland and Turkey, while a general shift can be seen in remaining immigrant numbers away from skilled workers and towards family reunification. Identifying the increasing diversity of its population, Sweden adopted its Immigrant and Minority Policy at the very cusp of a swell of changes in the diversity of its population. According to Pieter Bevelander of the International Migration and Ethnic Relations Centre in Sweden, from the 1970s to the 1990s, Sweden witnessed an increasingly non-Nordic immigrant population, coming from farther and more “foreign” nations, which Beverlander supports with statistical data from Sweden’s government sources. “In the 1980s, the lion’s share of this new immigration came from Chile, Ethiopia, Iran and other Middle Eastern countries. Individuals from Iraq, former Yugoslavia and Eastern Europe countries dominated the 1990s.”

In accordance with Swedish beliefs about the right to work and civil participation, Sweden rejected the idea of a guest worker program in the 1970s, providing local voting rights, welfare rights and other significant benefits to non-citizen workers and immigrants. This worked well during times of economic boom, when there was work available; however, in times of economic downturn, such as the early 1970s and 1990s, produced low employment rates for immigrants compared to those who were from Nordic backgrounds, both Swedish-born and naturalized immigrants from other Scandinavian nations. Although Swedish welfare conditions permitted immigrants and asylum seekers to access assistance, the amount they received was (and remains) proportional to their earnings, meaning that immigrants who consistently had lower access to labour market inclusion had correspondingly lower rates of welfare assistance, creating a cycle of racialized poverty.

Asylum regulations during this period also created problems of integration. Asylum seekers were admitted in large numbers, owning in part to Sweden's willingness to accept refugees on more open conditions than other nations; for example, Sweden
accepted those whom Canada might have rejected as economic refugees – those fleeing war zones, extreme poverty or countries with environmental catastrophes such as drought. In the 1980s Sweden reorganized its refugee policy to create reception centres where asylum seekers were housed in camps while awaiting legal status to stay and work, at which point they were admitted into specific locations that the government had deemed to be “municipalities suitable for the integration of refugees.”

Again, following the trend of cultural retention through ethnic exclusion or segregation, these asylum seekers were contained in specific neighbourhoods, and although given rights to work after four months, the asylum seekers found it extremely difficult to secure trainee places due to competition from native Swedes. Despite a remarkable willingness to admit asylum seekers during the 1980s and early 1990s, Sweden was ill prepared to meet the needs of such a population, and the multiculturalism program it had in place served to facilitate greater exclusion from mainstream access to the labour market and civic participation under the auspices of fostering cultural retention. The combination of dramatically increasing diversity in the 1980s, economic downturn in the 1990s and a multiculturalism that was ill equipped to promote integration caused a dramatic shift in policy direction in the 1990s, driven by both public and political discontent.

Due to a technical legal definition around minority status and citizenship, the Immigrant and Minority Policy was renamed the Immigrant Policy in the mid 1980s, although by this time, as Joppke and Morawska observe, “most newcomers were no longer immigrants originating from a few Nordic or southern European countries, but refugees originating from all corners of the globe.” However, it was not until the mid 1990s that major changes to the policy began to take place. In an attempt to combat the surge in racist violence and anti-immigrant sentiment, the Social Democratic government established an Integration policy and Integration Board in 1996/97, along with an accompanying budget to assist in eliminating racism and fostering integration. Unfortunately, these policy decisions were poorly designed and even more poorly administered, subsequently proving unsuccessful in their aims to reduce racism and increase integration. Leadership for the new Integration Board and its department was done by political appointment, and suffered from a number of inexperienced but well-
meaning directors who spent significant amounts of money on programs that failed to achieve their aims. According to Dennis Nordin, “Appointments to lead the Integration Office resulted more as rewards to good Social Democrats than as culminations of searches after the most competent candidates.” This resulted in wasted fiscal expenditures that did little to pacify the increasingly anti-immigrant sentiment vocalized by some members of the Swedish population. When the most major of these collapsed programs was investigated, it was found that recipients of the proposed services had not been consulted on their needs, the services development or the manner of its delivery, resulting in a highly expensive program that gave nobody what they needed.

The shift from the Immigrant Policy to the Integration Policy is best characterized by a deeper shift in what was expected of non-Nordic ethnically framed groups in Sweden. According to Joppke and Morawska, the new policy emerged “against the backdrop of skyrocketing unemployment rates for immigrants and deepening ethnic cleavages as well as a general questioning of welfarism and retreat of central state planning.” Joppke and Morawska observe, “While the new policy rhetorically sticks to the 1975 framework of equality, freedom of choice and cooperation (partnership), the multicultural thrust of the original policy has all but disappeared.” As with Nordin and Beverlander, Joppke and Morawska identify the fingerprints of an assimilationist discourse “coloured by a neoliberal discourse of self-sufficiency” whereby immigrants are expected to acquire the skills they need on their own to function in Swedish society, and the principle of freedom of choice is reinterpreted to mean non-activity on the part of the state. In effect, multiculturalism programs to promote an easier transition to the Swedish nation (albeit conceptualized and administered in a segregated way) have now been transformed to a much-reduced series of “self-help” tools available to immigrants who choose to avail themselves of these resources.

By 2000, when the UN reviewed Sweden’s progress in its commitments to end racial discrimination, the country was soundly dressed down for failing to quell the rampant spread of racism, de facto racially segregated housing, increasing neo-Nazi related violence, and for being unable to ensure equal access to legal protection for
immigrant groups.\textsuperscript{154} These results shocked many Swedes, and have left successive governments attempting to cope with the recommendations while balancing the weight of three decades of asylum seekers against the interests of the historically dominant group – none of which are overly satisfied with the results.\textsuperscript{155}

While Sweden began with high levels of commitment to anti-racist principles, and in the 1970s implemented policies that were ahead of those many nations have today, this commitment could not withstand the test of mass immigration. Although Swedes were enthusiastic about embracing diversity initially as part of a national belief in deep equality, they were far from willing to feel overwhelmed by it, and were unable to conceptualize in a manner that brought diversity from the margins to the mainstream – an important lesson on the security of multiculturalism when the pressure it places on the system is substantial rather than merely symbolic.

\textbf{2.6 Comparative Evolutions}

In terms of the historical trajectory of state-sponsored multiculturalisms, Canada appeared first on the scene in 1971, followed by Australia in 1973 (or 1978, when the policy was officially approved) and Sweden in 1975. The British policy was established slowly, through small regulations and attitudinal approaches to governance, and the Dutch policy was a relative latecomer, not appearing in a concrete way until the mid 1980s, although plurality was certainly a condition of national social geography in the Netherlands prior to the emergence of official multiculturalism. However, while late to implement its policy, the Netherlands flung itself into the concept in force and, metaphorically speaking, over-calculated, lost its balance and has been in steady collapse since the mid 1990s. Sweden's policy, although initially very strong, went into similar decline in this period, and for similar reasons – namely, the pressure placed on the sensibilities of the historically dominant group by a substantial influx of asylum seekers from Muslim and Eastern European nations, which prompted a protective response from Swedes and the Dutch around traditional values and national identities including shifts to the political right (a common trend in both voting practices and party positions.
experienced by the Netherlands, Britain and Australia in the 1990s). Around the same time that the Dutch and Swedish polices began to falter, Australia began to scale back the force and scope of its policy to match the expectations of a consistently conservative national voting population – one which repeatedly emphasized the desire to protect the interests of “white Australia” from Asian and Muslim immigrants. Britain, the latest nation to face serious challenges to its policy, has struggled with issues of social integration (segregation) exacerbated by its foreign policy and a lingering colonial legacy than manifests in ongoing immigration from Commonwealth countries in high numbers.

In this climate of short-lived experimental multiculturalism, Canada has the longest continually running state-sponsored policy, and is the lone holdout in stating emphatically that it is neither scaling back nor doubting the underlying philosophy of its version of multiculturalism. While the trajectory of multiculturalism in other nations may lead one to assume, as Joppke and Morawska have done, that the policy is doomed to end in failure, nothing in Canada’s past or present indicates that this will be the case here. Indeed, in each successive decade, the scope, public support, government support, and positive results of Canadian multiculturalism has grown, evidenced most clearly by the absence of major interracial violence, riots, and terrorist acts that have occurred in these other nations. While Canadian multiculturalism remains far from an ideal system, it must be achieving something through its policy decisions that is clearly not happening in these other countries. This does not make Canada immune from these acts of violence, but it does indicate that immigration is translating well into social integration, as opposed to the segregation and isolation identified as persistent and substantial problems in these other nations.156

2.7 A Separate Peace?
Integration versus Segregation in Policy

It is important to contrast what is meant by multiculturalism in each of these countries – Britain, Australia, Sweden, Canada and the Netherlands. Although the term may be the same, closer examination reveals that there are startling differences in the
policies, not the least of which is the target audience. Canada and Australia have multicultural policies that extend (at least in intent if not fully in manifestation) to all citizens and residents; alternatively, Britain, Sweden and the Netherlands have multicultural policies that refer specifically, and exclusively, to immigrant ethnic minority groups\textsuperscript{157} (and in the case of the Netherlands, only to certain “qualifying” ethnicities).\textsuperscript{158} This difference in approaches raises the question of whether multiculturalism’s foundational philosophy in the modern era is about enabling the integration of ethnically framed groups as a central, equal part of the nation, or if it is designed to create spaces for ethnic minority cultures to retain their practices in isolation? In essence, if the ultimate goal is peaceful coexistence, is multiculturalism about creating a nation where everyone lives together, or one where everyone lives a “safe” distance apart?

Despite some similarities, each form of state-sponsored multiculturalism has emerged predominantly as its own unique policy. Unlike Canada and Australia, where multiculturalism is intended to be for all members of society, the policy in European countries (Britain, Sweden and the Netherlands) is directly exclusively at immigrant ethnic minority groups – a decision irrevocably casting the policy as a diversity management strategy that draws firm lines in the sand between “traditional” dominant ethno-cultural groups in the nation, and “newcomer” ethno-cultural immigrant groups. In analyzing the current move away from multiculturalism towards assimilation in these European nations, Joppke and Morawska contend that this division of the policy “makes official multiculturalism more vulnerable here than in Canada or Australia.”\textsuperscript{159} Given the recent moves to dismantle or severely limit multiculturalism in these European nations, contemporary developments would seem to support Joppke and Morawska’s theory. However, Australia, too, is minimizing its multicultural policy. Given that Canada is the only nation that appears not to be abandoning multiculturalism (despite Joppke and Morawska’s unsupported contention\textsuperscript{160}, refuted by Kymlicka,\textsuperscript{161} that Canada is also heading away from the policy), there is likely a more complex explanation. This explanation begins with the question of the policy’s intention: is it designed to manage
diversity by enabling spaces of isolation where ethno-cultural groups can retain whatever practices they chose, or is it about modifying the national mainstream to admit plurality?

There are several difficulties with using multiculturalism to create/manage ethnic communities that are seen to be distinct from the mainstream. Firstly, as Steven Vertovec points out, the level of diversity in Britain these days vastly exceeds the notion of a measurable number of clearly defined ethnic groups, and is complicated by intermarriage, second and third generation citizens, return migration, a range in size of communities, and vastly more source nations for immigrants. Vertovec convincingly argues that because of the policy's dependence on reading of diversity as multiple clearly defined ethnic groups of a certain size, British multiculturalism has been slow to adapt to this age of super-diversity. In Vertovec's opinion, British multiculturalism must reconsider how it approaches the policy entirely, and must account for hybridity, fluidity and flexible belonging across multiple groups simultaneously.

Vertovec's assessment points to a second difficulty in the idea of multiculturalism for immigrant ethnic groups only. This type of policy leaves the children of parents on either side of the multicultural line in an impossible position – part British, part multicultural – which points to a serious flaw, and exposes the racialization of the process. In this case, is the child considered British, or multicultural British? Because of the way the division has been constructed (with multiculturalism for immigrant ethnic groups only), with both indicating one type of national citizenship and belonging over the other, there can only be one answer. Under the current system, if a child has two immigrant ethnic group parents, the answer is clearly multicultural British. But if a child has one white British parent and one Indian British parent, and grows up in a household that has fish and chips on Fridays, and paneer on Saturdays, does that make the child multicultural British? The logic of this division upon close examination becomes disturbingly similar to the colonial language of the “one drop” rule. Not only does the idea of a division between multicultural and British communities suggest a problematically bordered version of national inclusion, but it also fails to stand up under scrutiny in the increasing complexity of a globalizing, hybridizing world.
A third difficulty with bordered multiculturalism, where “ethnic” immigrants and Europeans line up on opposite sides of the line, is the matter of centrality. If one foundational philosophy of multiculturalism is to forward equal participation, or at the very least to facilitate inclusion, models that enable cultural silos to develop are almost certain to fail to achieve this aim. Not only are barriers of access/belonging created between groups (with many citizens caught uncomfortably on the dividing line), but these barriers also are generally erected around a central dominant culture while others are pushed to the margins, where resources and access to the labour market are scarce. When this occurs, multiculturalism fosters cultural pursuits as a distraction from central engagement, one that creates a false sense of community strength and cohesiveness that works to obscure a disempowering lack of access to centrality. This is particularly acute in the Swedish and Dutch cases.

In many ways, European multiculturalism versions of the policy envision ethnically framed groups not only as having distinct practices, but also as occupying clearly different national, geographical and political spaces. In a foundational policy philosophy where multiculturalism is really about establishing multiple communities, distinctly differentiated, whose boundaries are politically and socially policed, national belonging and multicultural belonging operate as mutually exclusive spheres of identity. Where the difficulty lies with this explanation, however, is in the fact that this treatment of ethnically framed people is not limited to those multiculturalisms that direct themselves exclusively towards an ethnically framed audience; national handling of a policy for all citizens regardless of immigrant status can have the same effect, despite wording in the policy to the contrary. Arguably, this isolation (caused by a bordered national belonging) is also the case in Australia currently, where strong anti-immigrant, anti-ethnic minority sentiments have occupied political discourse and have modified the foundational philosophy of the policy in the direction of a more assimilationist model for over a decade.
It is interesting that Canada and Australia have both opted for multicultural policies that are directed (theoretically) equally towards all citizens. This could be due to the fact that this was Canada’s vision of the policy, and Australia followed it closely, both in timeline and in design; later European adaptations of multiculturalism may reflect a new wave of thinking about the policy specific to the European context. Alternatively, as settler societies, Canada and Australia may have had great difficulty establishing a policy designed for immigrants only, because it would have required a very obvious racialization of who the policy included, as well as a surgical division of the idea of “immigrant”. If this is the case, the British and Dutch rejection of multiculturalism for all citizens may rest on a problematic, unresolved colonial legacy of conquerors and conquered that the policy simultaneously relies on for definition and acts to obscure in practice. An ongoing critique of policies in both these nations is the lack of recognition for the history that has shaped migration, settlement and economic patterns.

In contrast to the notion of multiculturalism as a policy for ethnically framed immigrants only, Canadian multiculturalism presents itself as a model where the nation itself is the broadest community, to which all citizens equally belong, and under this umbrella they may practice cultures of their choosing. While in the policy’s early years this may have been little more than rhetoric to disguise what was actually multiculturalism for non-Anglo and Francophone Canadian ethnic populations (as Kobayashi\textsuperscript{169}, Bissoondath\textsuperscript{170} and Bannerji\textsuperscript{171} all independently suggest), there is strong evidence that this is no longer the case. In recent years the celebration of Anglo-Irish culture as an ethnic group has become a tradition in Vancouver with the Celtic Festival, a four day event complete with all the soft culture identifiers Hage critiques as markers of ethnicity appreciated by a historically dominant culture about “ethnic” groups\textsuperscript{172} - distinct foods, music, dance, parades, non-national language use, and, culturally appropriate to British Isles culture, copious amounts of rain. While this can by no means be taken as a sign that generations of ethno-cultural and racial differentiation between historically dominant and ethnically framed groups has been erased, this development does indicate that “ethnic” celebration has come to include Anglo-European groups in a way that it hasn’t in the past, and in a manner consistent with the idea of one Canada.
offering the choice of multiculturalism to everyone equally. It might be considered one tiny but important step forward. Channel M (Multi-vision Television) is another excellent example of this idea at work – a multilingual, hybridity-embracing, gender inclusive station that actively strives to realize the principles of Canadian multiculturalism through programming. These two instances indicate positive, real world actualizations of the philosophy that multiculturalism in Canada is intended for, and actively applies to, all Canadians.

Amongst those nations that have adopted multiculturalism, there are substantial differences of approach and practice in the various policies. In some ways, it is almost misleading to refer to them all by the same name. Although all policies take as a foundational philosophy the belief that ethnic groups should be able to retain their right to cultural practice, in Europe the boundaries of this concept extend only around ethnically framed people, whereas in Canada and Australia, they (theoretically) are drawn overtop the geographic borders of the nation and include everyone. This division in European countries begs the question of whether multiculturalism is a policy designed to permit ethnically framed people to formulate cultural groups in isolation from the mainstream, where they exist in peacefully segregated spaces. Unfortunately, as recent events in Sweden, Britain and the Netherlands show, the effects of this isolation are neither peaceful nor beneficial. The alternative to this bordered multiculturalism is the Canadian model, founded on the idea that multiculturalism is designed to foster equality by extending the same rights to ethno-cultural practice, belonging and mainstream identity to ethnically framed people that historically dominant groups enjoy. While this idea is still in its development stage, it has sent Canada strongly in a different direction than the European multiculturalisms that came after. Arguably, Australia, too, was headed in this direction, but has slowed in its pace and has begun to reverse its steps back towards the European model (which may eventually result in a full-scale abandonment of the policy altogether). In answer to the question of whether multiculturalism is about living apart or living together in the same country, Canadian multiculturalism comes down firmly on the side of the latter, which places the policy in a far better position to respond to, and incorporate, the type of heightened super-diversity that Vertovec claims is poised to
challenge the British model. This does not mean that Canadian multiculturalism precludes the formulation of ethnic groups, or their right to develop communities and practices that are, in some senses, isolated; what it offers is the choice.
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From Demographic Diversity to Early Multiculturalism: 
Race, Gender and International Politics in Immigration Debates

While multiculturalism has created positive spaces for ethno-cultural integration, the widely publicized edict to “celebrate diversity” can also give the impression that Canada’s past has always been one wherein diversity and equality have been openly embraced. This can cause problems in attempting to accurately assess the policy’s strengths and weaknesses. This chapter presents two main historical reviews: firstly, a case study of Asian immigration to British Columbia in the decades before Canada adopted official multiculturalism; and secondly, an examination of the establishment of the policy itself. The use of the case study illustrates several key points that inform the establishment of Canadian multicultural policy, namely that: while diversity has always been a part of Canada, a willingness to embrace this diversity certainly has not; in early Canada systemic racism was an openly acknowledged and highly valued tool for controlling the parameters of that diversity; the desirability of an individual immigrant was largely determined by their country of origin, and incorporated assessments of both ethnicity and the international political relationship between Canada and the nation of origin; and finally, immigration and diversity discourses have always been highly gendered, although this has not necessarily been widely acknowledged.

The point of using a case study of Asian immigration to demonstrate these aspects of Canadian history is to reaffirm the depth to which they affected the national imagination. While a broader review of all early Canadian immigration laws may have been useful, it would not have done justice to the social nuances of these policies in the space available. The case study reveals the persistence and depth of accepted systemic gender and racial inequalities in early British Columbia. These ideas didn’t turn off the moment Canada abandoned an overtly race-based immigration system, or the moment multiculturalism became an official Canadian policy; while they have been mitigated by decades of evolution towards rights-based equality, they have not entirely disappeared even today. As such, it is important to continue to understand multiculturalism as a work in progress rather than as an end unto itself.
3.1 A Case Study of Asian Migration to British Columbia

When approaching diversity in a contemporary context, there is such a variety in possible avenues of inquiry that it can be tempting to overlook the historical evolution of Canadian multiculturalism. Why linger on events from seventy years ago, when things have changed so much? The answer to this lies in the notion that where we have come from is inherently tied to who we are as individuals, communities, and as a nation. In order to understand why Canada has a multicultural policy, and why it appears as it does, one must delve deeply into the social, legal, and philosophical trends that have closed some avenues of possible evolution and opened others.

A comprehensive look at the evolution of diversity in Canada would be a work unto itself; subsequently, this chapter will highlight specific historical moments that illustrate key concepts of relevance for contemporary debates. It is by no means intended to be an exhaustive discussion - for more comprehensive studies on early Canadian diversity, see Howard Palmer’s\textsuperscript{174} and Peter Li’s\textsuperscript{175} historical analyses. *Sisters or Strangers: Immigrant, Ethnic and Racialized Women in Canadian History* edited by Epp, Iacovetta and Swyripa,\textsuperscript{176} *Canadian Women: A Reader* edited by Mitchson et al,\textsuperscript{177} and *Locating Law: Race/Class/Gender Connections* edited by Elizabeth Comack\textsuperscript{178} provide good starting points for those interested in diversity studies with more specific attention paid to gender.

According to Sedef Arat-koc, “Until the 1960s Canadian Immigration policy was based on explicitly racist principles. While concerns such as meeting labour market needs and populating the country were important factors in immigration policy, there was an integral relation between immigration and a nation-building project which aimed to develop Canada as a settler colony in the image of Britain.”\textsuperscript{179} However, despite this deliberate agenda, three Asian groups played prominent roles in shaping early British Columbia’s history: Chinese, Japanese, and South Asians (predominantly Sikhs).
There are chronological challenges in presenting this history. Should each group be discussed independently in terms of their evolution, or should all three be presented together according to major dates on the timeline? While both options are possible, there are important nuances to Canada’s treatment of each group that can be easily overlooked when the discussion progresses too closely by chronological order. Therefore, discussions on Chinese migration are presented first, followed by South Asian and Japanese migration.

Another issue to consider in presenting these histories is the distinction between federal and provincial jurisdictions. This particular topic highlights the difficulties of governing provincial social challenges under the heavy influence of federal laws based largely in the international interests of a political axis that ran between Ottawa and London, England. Most early immigration restrictions were federal responses to provincial attempts at racially based exclusion (as in the Chinese case of Federal Head Tax regulations following a widespread attempt by the province to deter Chinese). However, as time progressed and more immigrants began to arrive across Canada from all over the world, later amendments tended to be non-race-specific. These originated from Central Canada in response to more widespread, cross-national changes in law, such as the 1946 changes to Citizenship Act, and the 1967 changes to immigration policy. The evolution of air travel, replacing steam liners that could only dock in major port cities, meant that immigrants could “land” almost anywhere, spreading immigrants far more rapidly across the nation. The port-based concept of immigration restrictions in British Columbia, designed to defend primarily against an influx of Asian settlers, was replaced by a central federal set of rules and regulations for all of Canada.

3.2 Managing the “Sojourner Population”

A sojourner in a strange land (who) has no common interest with us... The Chinese man gives us his labour and is paid for it and is valuable, the same as a threshing machine or any other agricultural implement which we may borrow from the United States, or hire and return to its owner. – Sir John A. Macdonald

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The period prior to World War I is marked by numerous legal and social restrictions on Asian immigrants, demonstrating that exclusion was the dominant philosophy for coping with potential diversity. However, while it is easy to make such a statement, there were many subtle complicating factors guiding the development and execution of discriminatory laws and practices. Economics played a large role, as Anglo-Canadian entrepreneurs looked for cheap sources of labour for railways, forestry, agricultural land clearing, fisheries and other industries. Political forces sought immigrants to expand both urban and rural areas, and to provide services such as food and laundry to an increasing population, but were reluctant to admit Asian people to perform these functions on anything other than a temporary basis. There were social concerns from the historically dominant group about the disruption of moral values, strain on social and environmental resources, and what was perceived to be a dramatic increase in the number of Asian immigrants in the late 1800s. Church groups simultaneously opposed large numbers of Asian men living without wives, assisted picture brides who had encountered distress upon entering Canada, and opposed the entry of Asian women on the grounds that they would bear Asian children. In social and political realms, Asian men were most often approached as temporary single male workers, and laws pertaining to women and families were often secondary responses by the Canadian government. The system of reception established by both federal and provincial governments was geared towards controlling the entry of “too many” Asians, and limiting the capacity of male workers to bring in wives, or to meet single Asian women in Canada – the ultimate goal being to stop Asian immigrants from setting down long-term roots and raising children who would become part of the social geography of the nation.

The relationships between gender, class and race were further complicated by women from the historically dominant group seeking to break traditional gender roles and acquire political authority (such as the right to vote and run for office) and economic freedoms (by securing entry into the mainstream workforce). This frequently placed Anglo-European women and Asian men in competition for jobs in both urban services
and factory settings. Ironically (given today’s debates) at the time, both Asian men and Anglo-European women were invested in there being no equal wage standards for work, because given the opportunity, most employers of the day selected white men over either of the other two groups when forced to pay all workers the same. As Creese relates, “female workers were typically confined to women’s jobs where they earned between one-half and two-thirds of what men earned.” Being a cheap source of labour guaranteed that although easily exploited, white women and Asian men were valuable to the workforce and would be able to support themselves and their families. Occasionally, both groups worked together to defeat specific laws that mutually disadvantaged both groups, such as the law challenged by Yee Clun in Saskatchewan in 1924 preventing white women from working for Asian men on the grounds that the women would be exposed to undue risk of sexual violation.

Asian women faced significant challenges when immigrating to Canada. Not unlike today, men were far more likely to have access to learning English through their workplaces; alternatively, many Asian women who functioned in domestic spheres or in the family business (but without duties that brought them in contact with the general public) suffered significantly from isolation and an inability to function fully in an English-speaking environment. Anxieties over the “yellow hoards” of Asia led many of historically dominant groups to discriminate against Asian women on the grounds that they would bear Asian children. Racial intermarriage was strongly frowned upon by the historically dominant community, and in many cases also by Asian communities. These women were not readily considered labourers, even though they frequently worked alongside their husbands in family-run businesses. They were far less likely to be hired by employers from historically dominant communities than ethnically framed men. As Uma Narayan has argued, “While the ideology of domesticity may have immured many middle-class women in the home, it also sanctioned the economic exploitation of women slaves and working-class women, whose most pressing problems did not result from their confinement to the private sphere.” The term slaves in this case does not imply that women were held under formal state-directed slavery laws, but that the absence of state-intervention in the condition of women’s lives, combined with the severe racism in early
Canada, created an environment where women in more vulnerable social arenas were effectively held as slaves.

As a result of the restrictions on their entry, the imposition of Western paradigms of invisible ‘domestic’ labour both in the home and in the public workforce, and the lack of social resources upon their arrival, many Asian women found themselves in extremely vulnerable situations – financially, socially and sometimes physically. Many of these narratives have been invisible in the overall story of Canadian history, except in cases where the nature of these difficulties is exoticized in narratives of Opium houses and Asian brothels. Subsequently, these women are often only “seen” by Western historians when they are in positions that deliberately construct the nation of Canada (and the historically dominant group) in a positive light: as a rescuer, or as morally superior.\(^\text{192}\)

### 3.3 The Chinese in Early Canada

The Chinese presence in Canada began in 1858 with the gold rush in Barkerville, B.C. Chinese immigrants moved north from San Francisco, and came across by ship direct from China. While there were small numbers of women, the vast majority were male labourers, many of whom had families back in China. In the 1871 census, Chinese men outnumbered Chinese women twenty-nine to one.\(^\text{193}\) When the gold rush petered out, the Canadian government encouraged them to stay on as a source of cheap and disposable labour for the dangerous construction of the CPR railway from 1881-1885. As historians Roy and Thompson relate, “British Columbians had grudgingly accepted the presence of Chinese workers as long as they were needed to build the CPR, but a new wave of anti-Chinese agitation rose as the railway neared completion.”\(^\text{194}\) In response to this, the provincial government in B.C. struck out at the Chinese on a variety of fronts: financial, social, political and cultural. They attempted to introduce an annual tax of ten dollars per Chinese immigrant already residing in the province; to forbid the Chinese community from exhuming the bodies of their deceased, which was a common practice to send the bones back to China; and to place restrictions on living accommodations.\(^\text{195}\)
Chapter 3: Establishing Multiculturalism in Canada

According to Howard Palmer, "Legislation at the provincial level concerning ethnic minorities would appear to be one of the most reliable gauges of public opinion, particularly for the pre-World War II period, before the days of scientific public opinion polls." This being the case, the regulations that British Columbia attempted to place on Chinese residents demonstrated an undeniable hostility to their presence.

However, despite British Columbia's desire to place such restrictions on its Chinese population, the Canadian federal government overturned the new laws and ruled that the province was outside its jurisdiction in imposing them. As a means of mitigating public outcry from British Columbia, a Royal Commission on Chinese Immigration was convened to examine the question of legal restrictions more carefully. Factory and cannery owners went head to head with Christian and anti-Asian groups. Major employers in industry wanted cheap labour, but labourers and voters from the historically dominant group were furious over losing jobs to Asian immigrants willing to work for less. As Lisa Marie Jakubowski summarizes,

According to Bonacich (1972:549), a split-labour market process produces a three-way conflict between the dominant class and two groups of labourers. The dominant business class strives to maximize profits utilizing the cheapest available sources of labour power. Through the process of super-exploitation (Cox 1948), the dominant class will replace higher-paid labour with cheaper labour. Bonacich (1980:15) argues that because employers prefer to hire the cheaper labourers of colour, white workers fear and become hostile towards the more exploitable racial minorities. One way white workers can respond to this hostility and fear is to try to restrict the capitalists' access to cheaper labour through 'exclusion' (Bonacich 1972:554-57, 1976:45).

This practice was a clear tactic employed by workers from historically dominant groups in early British Columbia, although it must be pointed out that the "three-way conflict" Jakubowski and Bonacich describe is an overly simplistic reading which renders women's labour invisible from any community. As discussed in preceding sections, white men struggled against both Asian men and women of their own communities in competition for jobs, and Asian women were left (or compelled) to find work that had been deemed unsuitable or undesirable by other groups.
Eventually, public concerns over the seemingly endless supply of Chinese wanting to enter Canada won out over the desires of industry leaders to have a cheaper labour pool. In 1886, less than two months after the CPR railway was completed, a Chinese head tax of $10 was introduced, which was increased to $50 a decade later.200

The Chinese head tax remains one of the most obvious examples of racial discrimination in Canada’s history, and in recent decades it has been the subject of a series of redress hearings. The tax, however, failed to produce the desired reduction in Chinese immigration to Canada, and subsequently, the government took further action. In 1902 the Head Tax was raised to $100, and in 1904 it was increased again to $500 – a near astronomical amount by the financial standards of the day.201

At such elevated levels, the Head Tax finally served to slow Chinese immigration to Canada, but it also acted to differentiate along class lines. Chinese merchants were not only able to afford to pay the exorbitant head taxes, but they were also permitted to bring in their wives and daughters. This resulted in the smuggling of many Chinese women, claiming to be wives and daughters of merchants, and placing those women who had come in claiming false relations in positions of great vulnerability.202 Because of the historically high number of settled Chinese men, the almost non-existent population of unwed Chinese women, and the heavy bias against interracial marriage, there was a clear incentive for human smuggling.203 Ironically, the restrictions on the entry of Chinese women from non-merchant class groups produced two simultaneous results: Chinese men vastly outnumbered women; and the lack of brides produced a thriving trade in prostitution (which was supported by men from both Asian and European communities). These circumstances placed the Chinese population in an impossible situation, and led to widespread public outcry about the low morality levels of the Chinese population, and eventually to anti-Asian riots and even stronger immigration restrictions.
3.4 Gender, Class and the Law in Chinese Migration

Class, race and gender dynamics heavily influenced the laws governing the immigration of Chinese women to Canada. Women of non-merchant classes were denied entry on the grounds that they would become economic drains on Canadian society (which was somewhat ironic considering that immigrants and women of any race could not claim social benefits at this time aside from the charity offered by community-based church groups). Only Chinese women who were the wives of clergymen or merchants were permitted to enter the country. In the eyes of Canadian law, morality and money were the only two tickets to entry. Yet, although the economic circumstances of these women was an advantage to the Canadian economy, their capacity to bear children still caused anxieties for historically dominant people. Anti-Asian sentiment was high in this period and the presence of women was regarded as a “foothold” for the Chinese community because of the future generations that would be born in Canada.

The popular discourse in immigration law of the period was to direct the ethnicity of the next generation in favour of Anglo and European ethnicities, and one of the primary means of accomplishing this was to control the reproductive capacity of all women in Canada, both Anglo-European and Asian. Therefore, white women (critically referred to by Constance Backhouse as “guardians of the race”) were encouraged to immigrate from Western and Northern Europe to Canada and to stay out of the workforce so they were able to marry young and have multiple children. (Although not the subject of this chapter, there is a host of information available to those interested in the social exclusion of white women from the workforce and the emphasis on white women as mothers of the nation in early Canada.) Alternatively, women from non-European immigrant populations were strictly monitored and heavily excluded. With racial intermarriage strongly discouraged, policy makers ensured a white Canada by encouraging the birth of white babies, and keeping non-white women to a minimum in the overall population.
Women of the historically dominant group, particularly women associated with various Christian church groups, were at the forefront of the push to contain and govern the “morality” of the Chinese community. In a practical sense, this translated directly to involvement in the reproductive practices of the community in a highly intrusive way. According to Lisa Mar,

Historians have termed women (like this) ‘maternal feminists’ because they saw distinctive roles for women in public life, owing to their mothering characteristics. In Canada, maternal feminists often devoted special political attention to issues involving women, children and family. In the 1920s, their agenda included related reproductive issues facing the ‘white race’ in Canada, such as preventing miscegenation by regulating contact between Chinese men and white women.²⁰⁹

These women defined an active political role for themselves in a time when women’s access to political power was very limited by making themselves indispensable in the Anglo-Canadian quest to restrict (and even eliminate) an Asian presence. Politically active women from historically dominant groups, already struggling within a hierarchal system that disempowered them, chose racial leverage over gender solidarity, to move themselves higher up the proverbial ladder. Ironically, as Lisa Mar’s work illustrates, white women used the language of gender solidarity and maternal essentializing to justify their involvement in the politics of nation-building to white men in positions of authority. Thus, their presence was tolerated as ‘natural feminine caring’ rather than perceived as political interference.

The Chinese immigrant community was caught between difficult stereotypes. Families with women usually produced children, which historically dominant communities objected to as an increase in the Chinese population in Canada. However, households without women were seen as dens of immorality. Public anxiety about the low morals of the Chinese male population even produced labour laws that prevented any white woman from being employed by an Asian male.²¹⁰ This was to prevent cross-racial sexual interactions, and to ‘protect’ white women who were the most socially vulnerable, those of the working class, from falling ‘victim’ to the loose morals of Chinese
employers. It seemed that for the general public, there was no long-term place for Chinese immigrants in B.C., regardless of whether they were successful merchant families, or single male labourers.

As a final action, the Canadian government placed a full ban on any Chinese immigrant in 1923. This Chinese Exclusion Act was so popular with the dominant Anglo-Canadian population that it was in place for a quarter of a century, lasting until after the end of the Second World War.

3.5 Canada and the Commonwealth: Mediating Migration from India

The case of early Chinese immigrant to Canada demonstrates that the Canadian government was able to apply direct deterrents to entry in an almost unlimited scope. However, unlike Canada's treatment of Chinese immigrants who had few international claims on Canada, in the case of South Asian immigrants their connections to the British Empire required careful manipulation of regulations rather than outright exclusion, Canada's relationship to China necessitated no such political subtlety. Chinese, Japanese and South Asian immigrants all sought entry to Canada in this historical period, and in each case, immigration regulations were developed based on a combination of international pressures, numbers of immigrants arriving, perceived threats to historically dominant groups, and perceived benefits (usually to the economy). This indicates that although anti-Asian sentiment was strong against all groups, the specific manner of exclusion and diversity management employed by various levels of Canadian government was in part dependent on the extra-national pressures of the period.

In the pre-World War I period, Canada was a young nation that relied heavily on its relationships with more powerful countries. These relationships permeated the fabric of everyday life, just as they do in contemporary times. In particular, the colonial history of Canada's relationship with Britain guided its system of alliances, and in turn, its immigration policies. As Palmer observed, "a group's desirability as potential immigrants
varied almost directly with its members' physical and cultural distance from London (England) and the degree to which their skin pigmentation conformed to Anglo-Saxon white.”

At the end of the 19th century, British Columbia was still in its infancy. However, as is the case today, social changes and global politics on the far side of the Pacific had a strong effect on the management of diversity in British Columbia's population.

In 1905 Australia put into effect its White Australia policy, a controversial series of immigration regulations preventing non-white (and specifically Asian) immigrants from gaining access to Australian soil. While Australians in favour of an Anglo-dominant nation supported this, there was a significant backlash against the policy from other Commonwealth nations, many of which represented citizen groups that were now banned from entering Australia. This policy caused Canada to think carefully about its own migration regulations, and about how best to handle the increasing number of immigrants from India and the rest of Asia. With Australia closing its doors, many Canadian politicians from historically dominant groups feared the nation would be over-run by a massive population of Asian immigrants.

Immigrants from India presented a particular challenge to Canadian policy makers. As Commonwealth allies, an increasing number of Sikhs began come to Canada around the turn of the twentieth century. While their absolute numbers were not huge compared to other ethnic groups, the rapid increase in the expansion of these numbers alarmed people of historically dominant groups who saw the entry of these immigrants as the first in a series of uncontrolled waves. According to Jakubowski, “Not wanting to cause rifts with the British Empire, Canada could not take direct discriminatory action.” Unlike the Chinese, who enjoyed no such diplomatic protection, the head tax was rejected as a potential solution because of India's Commonwealth membership. However, while the government was limited in its response by international considerations, the Canadian public was not. Asiatic Exclusion Leagues, formed by members of historically dominant communities, began to operate in Western Canada,
calling for politicians to prevent immigrants from taking white jobs and invading white spaces. In order to address these concerns, Canada enacted what was known as the “continuous journey regulation” in 1908 that required immigrants to come to Canada directly from their country of origin. This specifically targeted Japanese immigrants trying to enter through the shipping hubs of Hong Kong and Hawaii, and all immigrants from India, as there was no direct shipping route between India and Canada at that time. The regulation also required immigrants to be in possession of $200 cash on hand at the time of their arrival – a huge amount by comparative historical wage standards. In order to ensure that Indians could not simply establish a route direct from Calcutta, thereby circumventing the regulations, the Canadian government shut down the shipping route between Calcutta and Vancouver offered by Canadian Pacific, and refused to permit any other shipping companies to operate the route.

Significantly, Canada passed no law against Indian immigrants – instead indirect policies and regulations were used to bring a de facto ban into effect. In this way, Canada was able to claim internationally that it had not prevented migration within the Commonwealth, while simultaneously preventing any Indian immigrants from entering.

This strategic balance of international diplomacy and immigrant exclusion was tested in 1914 with the Komagata Maru incident. Chartered in Hong Kong to take Indian immigrants to Vancouver, the ship arrived in Vancouver on May 23rd 1914. The incident drew international press, as the world watched to see whether the continuous journey regulation could be broken. As Roy and Thompson relate, “The situation was complicated by the fact that Indians, like Canadians, were British subjects.” England weighed in with the Canadian government on what was to be done about the passengers aboard ship. Twenty-two of the immigrants had previously landed in Canada, and this was a return journey for them; they were permitted to disembark. The other three hundred and fifty-four passengers remained on board in terrible conditions for two months before the Canadian navy escorted them out, sending the ship back to India with its compliment of passengers. The legislation itself, as well as the final decision, were made at the federal level, but it was largely at a provincial level that the impact of executing the decision was
felt. The incident was, and remains, one of the most controversial in Canada’s immigration history. At the time, British Columbian humanitarian groups were appalled by the living conditions aboard the ship, but the federal and provincial governments held firm, fearing that if one ship was allowed to dock and unload, it would negate the regulation that had been put in place to prevent any migration from India.  

While it is difficult to ascertain exact numbers, in literature and images of the Komagata Maru incident, all the Sikhs who remained aboard are referred to or appear in photos to be men. This is consistent with the reaction of many Vancouverites, who cited objections to the anticipated labour competition. (One wonders if this situation may have been different had the ship landed in 1917 when the war had produced a shortage of white male labourers.)  

Although strong in their anti-Asian sentiments, those of historically dominant groups responded favourably to Asians who fought for Canada in both the First and Second World Wars. There was a strong sense that those who had risked or given their lives had proven their commitment to the nation, and they were therefore rewarded with fuller citizenship privileges. In 1919, there were approximately 700 Sikhs residing in British Columbia. Following the participation of many Sikh immigrants in the Canadian legions during World War I, amendments were made to the continuous journey regulation to permit wives and children of war veterans to enter. However, this migration was small in numbers, and assumed distinct gender roles in terms of soldiers, labourers and dependents.  

### 3.6 Japanese Migration: From Allies to Enemies  

Perhaps no historical account demonstrates the external pressures on Canadian diversity management policies better than that of the Japanese, whose place in Canada rose and fell with the tide of international favour.
Canada’s relationship to Britain at the start of the 20th century put Canada in a position to take advantage of British international treaties, but also left it subject to the external influence of British decisions regarding Canada’s international development. In 1902 Britain entered into a naval alliance with Japan. Financially overextended and seeing better uses for its fleet in other colonial waters, the British Royal Navy subsequently began strategically reducing its influence over the coast of British Columbia. By 1906, the Royal Navy had entirely withdrawn from its base in Esquimalt, just outside of the capital Victoria, leaving Japan as the dominant international defender of Canadian Pacific waters. As Roy and Thompson relate, “The Anglo-Japanese Alliance of 1902 put the naval defense of Canada’s west coast largely in the hands of the Imperial Japanese Navy.”

Although British Columbia took steps to rapidly equip itself with its own naval defense during this period, Japan’s international naval influence, not to mention its defeat of European power Russia in the 1904-1905 Russo-Japanese War over Port Arthur, put Japanese immigrants to Canada in a unique position.

Unlike its relationship with China, Canada was directly indebted to Japan’s naval presence; subsequently, Japanese citizens were treated very differently under early Canadian law. While Chinese immigrants were subject to high head taxes, gender restrictions and short-duration work visas, Japanese immigrants were granted entry under what was revealingly called the Gentleman’s Agreement of 1907 (implemented in 1908). The title encompassed two key conflicting dynamics of Canadian-Japanese relations: firstly, an agreement between gentlemen had the connotation of an agreement between social equals of high standing, something Japan had proved on a global political level; and secondly, a gentleman’s agreement had the dual meaning of a verbal agreement that was morally, but not legally, binding. Additionally, a Gentleman’s agreement is an accord between men, where women’s involvement is incidental at best. The title appropriately conveyed the conflicting sentiments of prestige and precariousness in Canada’s treatment of its Japanese immigrants, and the gender biases towards the notion of ‘immigrant’ as an exclusively male noun. Anti-Asian sentiment was strong across Western Canada, and few lay people of historically dominant communities distinguished between Japanese and Chinese or Hindu and Sikh immigrants. However, as a nation,
Canada distinguished carefully between Asian nations that were likely to be allies, and Asian nations that offered little to Canada, and to whom Canada had few diplomatic obligations. The political climate that surrounded Asian immigrants was therefore a balance of internal pressures from the historically dominant population, and external pressures, predominantly guided by Britain. While widespread anti-Asian sentiments ensured that few immigrants would be welcomed with open arms to the western provinces, the manner of admittance, or non-admittance, varied significantly depending on the ethnicity of the immigrant in question.

Unlike immigrants from China, there were comparatively few Japanese settlers in Canada by the end of the 19th century. However by 1914 Canadian government estimates placed the number of Japanese at 10,000, the majority of whom settled on the Pacific Coast. Few made the long journey across Canada to the eastern provinces. In the latter years of the 19th century, Japan began lobbying the Canadian government to loosen its restrictive immigration policies towards Asian settlers, a trend directly in conflict with the anti-Asian sentiments of many people from historically dominant groups. While the government of British Columbia wanted to limit the growing number of Japanese immigrants that began arriving in larger numbers around 1900, its naval relationship to Japan demanded a more delicate political solution than the head tax used to dissuade Chinese immigrants. In late 1907, Canada and Japan settled on the Gentleman’s Agreement (also known as the Lemieux-Hayashi agreement) allowing 400 Japanese men per year to enter Canada. Significantly, women were not initially included in this count, which permitted Japanese immigrants to start families in Canada far more easily than Chinese immigrants. “As a consequence, for several years thereafter most of the immigrants from Japan were women who had come to join their husbands.” This led to a trend in picture brides, whereby young women from Japan gained entry to Canada through arranged marriages. According to Roy and Thompson, “the presence of women and children saved the Japanese community from complaints about cleanliness and morality, but not from objections based on competition in the workplace, supposed inability to assimilate, or that Asians, by the sheer weight of numbers in their homelands, could overwhelm British Columbia.”
As Mary Kiyoshi Kiyooka, herself a picture bride, has recalled, the immigration and social regulations of the time placed Japanese women in positions of extreme vulnerability. Her life narrative relates numerous observations of other women whose arranged marriages proved to be far less successful than her own. Because their immigration status was directly dependent on the men they had been promised to, Japanese issei (first generation) women were unable to seek help from the Canadian government, and relied instead on immigrant women from their own community, or from church groups, in cases of violence or mistreatment. While many had positive marriages, the government’s policies did little to assist those immigrant women who found themselves at risk. In the pre-depression decades, government social assistance was not a common practice, and the situation was similar for single white women, and for Asian men who were unable to find work. However, for Asian women in situations of risk, the difficulty was doubly compounded by common labour practices of the period. Asian women were widely prevented from entering the public professions of white women, as well as the hard labour professions of immigrant men. Self-sufficiency, particularly if there were children involved, was therefore very difficult, and government assistance was not forthcoming.

The Gentleman’s Agreement between Canada and Japan was not a permanent arrangement; it was amended in 1924, dropping the quota of men from 400 to 150. While this number may seem very low by today’s standards, it was still a very different policy than the 1923 Exclusion Act preventing any Chinese immigrant from entering the country. In 1928, another amendment to the agreement brought the number of women into the total count of 150 Japanese immigrants, which effectively prevented the arrival of Japanese women and picture brides. Given the new restrictions, the Japanese government opted to send male immigrants almost exclusively, once again demonstrating that women both left their home countries and entered Canada as second-choice immigrants.
Once here, Asian immigrants of all groups and genders faced daily racism, systemic barriers to inclusion, and occasional anti-Asian riots led by Europeans who occasionally destroyed businesses and assaulted Asian-looking people on the street. Discrimination was not limited to common prejudice, but was supported by Canadian law. Even after an extended residency period, Japanese men were denied the right to vote. (Women of any race were denied the right to vote until 1918, and Aboriginal women were not given the right to vote federally until as late as 1960.) Additionally, it was illegal for Japanese immigrants to become lawyers, pharmacists, architects, chartered accountants, public school teachers, or to hold political office. These restrictions were doubly damaging to Japanese women who, prior to immigration, enjoyed increased access to education following new gender equality measures implemented in Japan in the late 1800s. However, the racialized system in B.C. served to undermine efforts at equality within the Japanese community. The first Japanese Canadian to graduate from UBC was in 1916 – a young woman named Chitose Uchida, whose education granted her a place of honour in the Japanese community. Unfortunately, this was short-lived. Although she had a degree in English, she was denied the right to teach in Canadian schools, and ended up teaching English to Japanese immigrant children. For many in her community, the difficulties Uchida faced in securing work became a rationale against education for women, something entirely contrary to the social climate immigrant women had left in Japan at the turn of the century. With resources changing and sometimes scarce, women were first in line to lose access to education.

Although the Japanese community campaigned widely against labour and franchise restrictions, Japanese Canadian men were not given the right to vote until 1917, and even then a limited voting concession was extended only as far as war veterans. It wasn’t until 1931 that Japanese Canadian veterans were granted the right to vote in full, thereby becoming the first Japanese Canadians with the franchise. However, this right would prove to be short-lived.

Canada’s unique relationship to its Japanese immigrants extended only as far as its international treaty obligations, and when the Japanese invaded Pearl Harbour in 1941,
Japanese Canadians felt the swift effects of changing international allegiances. Although Canada had been at war with Germany since 1939, the discrimination German Canadians faced was very little compared to the ordeal the Japanese Canadian community was put through. Already under supervision prior to the attack, Japanese Canadians across the country over 16 years of age were forced to register themselves with the government.\textsuperscript{233} Internment camps were opened away from coastal areas, and people were forced to move. Japanese Canadian fishing boats, homes and assets were seized and insurance policies were cancelled. Much of the property was never returned, and in many cases no compensation was ever given.\textsuperscript{234} Those in internment camps found themselves used as cheap sources of labour for work projects. Even after the war, Japanese Canadians were unwelcome; between 1944 and 1947 over 4000 Japanese Canadians were “repatriated” to Japan, many of whom had been born and raised in Canada and had little or no family there. Some of these people spoke virtually no Japanese. The Japanese Canadian population found itself adrift, forcibly removed from most citizenship rights. The Canadian government had effectively demonstrated that under a racialized immigration system citizenship privileges weren’t simply a matter of birthplace; they were also a matter of genetic heritage.

3.7 Exploring Canada’s Post-War Options

By the end of World War II in 1945, the Western World was facing significant changes: communism was now a visible force in global politics; the collapse of European colonial empires resulted in numerous smaller wars and conflicts as borders were redrawn and colonized peoples claimed independence; new technologies changed the face of daily life; and European migration to Canada, Australia, New Zealand and the United States was on the decline.

At home, Canada faced a new type of diversity within its borders. No longer were ethnically framed people simply immigrants from another nation. Many Asian-looking people had, by now, not only been born in Canada, but had been born to parents who were also born in Canada. The growing numbers of second and third generation Asian-
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Canadians posed significant challenges to conventional historically dominant perceptions of Asians as strictly a “sojourner” population. In Ontario and Nova Scotia, Canadian-born people of African descent were becoming a permanent part of the population. Across the nation the diversity of well-established ethno-cultural communities meant that legally and socially, Canada could no longer ignore the presence of unequal citizenship rights.

As the population changed, the dilemma of citizenship and inclusion became increasingly acute. For example, how could Canada respond to a Chinese-Canadian who had been born in Vancouver, had fought in the war for Canada, and yet still had no right to vote? Clearly, more sophisticated notions of diversity were needed. Canada faced a choice: either attempt to impose the same legal standards that had been in place before the war, in which case large sections of the population would remain as half-citizens; or come up with a new philosophy of inclusion.

The issue of voting rights for war veterans was a central debate, riding on the nationalistic sentiment of the WWII Allied victory. As a result, much of this push to give the vote to ethnically framed people born in Canada centered on those who had fought – those who were seen to have contributed to Canada in a meaningful way. Ethnically framed women were notably absent from this discussion. Because they had not fought for ‘their’ country overseas, their labours at home remained unrecognized as valuable to the nation. As was the case with many women of historically dominant groups, male work in the public sphere was at the forefront, while female domestic labour in private and public spheres remained undervalued and unseen. Old stereotypes and anxieties about Asian women having huge numbers of Asian children still lingered in popular discourse. Subsequently, while men of ethnically framed populations were seen as contributors to Canadian society, women were seen as a drain on resources. There was little push to grant ethnically framed women the vote for their own sakes. The argument for granting ethnically framed women the vote rested between the fact that white women already had it, and that ethnically framed male war veterans were likely to be granted it.
There were other regulations governing ethnically framed citizens that also came to the forefront of post-war reform movements. After twenty-two years, the full-scale ban on entry for Chinese immigrants remained, dividing Chinese families in Canada from families overseas. Even after the war, Japanese Canadians were held in internment camps, and their family property and assets remained seized. As Pacific travel became safe again in the post-war period, the Canadian government attempted to repatriate as many Japanese-Canadians as possible to Japan.

These legal realities incensed many Canadians, and the frustration was not limited to those of ethnically framed backgrounds. Lobbying groups that had been in the background during the war years once again resurfaced. Now that the troops were home, it was no longer seen as unpatriotic to call for social reform. Many people from historically dominant communities joined forces with “immigrant” groups, lending political support and financial resources. The “modern” society of the post-war era, it seemed, was not going to return easily to the segregated norms of the early 1900s. The effect of this widespread public concern was felt in Ottawa, and by the late 1940s amendments began to take place.

The global political climate was far different in the post-WWII era than it had been in 1906, when Indians and Chinese were unwelcome, and Japanese immigrants were tolerated (although not embraced). According to Palmer, “Economic development during the war laid the basis for the post-war prosperity which helped ease ethnic tensions.” Hitler’s rhetoric of a master race had many people reconsidering the racial superiority earlier attributed to the ideals of historically dominant groups. Additionally, by this time “the tie between immigration and economic growth was cemented in the public mind.”

These factors worked in favour of some immigrant groups and not others. International sentiment against Japan was strong in the West, and the effect was felt in Canada’s policy decisions. In the case of Chinese and South Asian immigrants, earlier xenophobia was transformed somewhat by historical developments. Pre-war sympathies for China over Japanese aggression in Manchuria, as well as multiple decades of heavily
restricted immigration, led many to perceive the Chinese presence in Canada as comparatively non-threatening by the late 1940s. Similarly, India’s wartime record of loyalty to the British, as well as its recognition by the world as an independent nation, gave the historically dominant group reason to reconsider India. During the war years, Mahatma Gandhi captured the imagination of the world, becoming the definitive model of pacifist modern leadership. In the eyes of many Western governments, India was rapidly becoming a nation worthy of considerable respect. The end of the British colonial era signaled an opportunity to open trade routes and expand commercial ventures; Canada’s geographic location and place in the Commonwealth meant that the government found value in reassessing the legal treatment of the Indo-Canadian population.

In many ways, 1947 was a landmark year for Canadian policy change. Following on the heels of a new citizenship act in 1946, the Chinese Exclusion Act was repealed, theoretically opening the borders to immigrants (although the application procedure was still racially segregated, which effectively prevented most Asian immigration except on family reunification grounds, from China until the 1960s). The Continuous Journey Regulation of 1908 was finally lifted, opening the door to immigrants from India and other countries on less direct shipping routes. South Asian and Chinese Canadians of both genders were enfranchised. 1947 also marked the end of forced Japanese repatriation. However, Japanese immigration was another matter. Prime Minister Mackenzie King’s comments in the House of Commons testify to this.

One of the features of our legislation to which strong objection has been taken on the ground of discrimination is the Chinese Immigration Act. This act seems to place persons from one particular country in an inferior category. The government has already initiated action for the repeal of that statute...

The East Indians legally resident in Canada are British subjects who have resided here for many years. They are therefore Canadian citizens. As such, their wives and unmarried children under 18 are admissible.

With regard to the Japanese, I stated, on August 4th, 1944, at which time we were at war with Japan, that the government felt that in the years after
From King’s comments, it is clear that *immigrant* and *citizen* are considered exclusively male categories. Women are seen as secondary, are not addressed directly, and are permitted entry only on the citizenship status of their husbands and/or fathers.

Reflecting the political sentiments of the day, male Japanese Canadians were denied the rights to immigrate, or to bring in women and children. Japanese Canadians who were already in the country would have to wait another two years before being granted the right to vote. The legal realities of the late 1940s revealed some telling changes toward inclusion. However, the Japanese case illustrates that ethnic groups were granted the right to vote on a case-by-case basis; citizenship, family heritage and national belonging remained complexly intertwined. Canada was not yet ready to recognize all races, and all ethnic groups, as inherently equal. In the 1940s external global political pressures directly dictated how Canada handled its own diverse population.

The post-war period left many Western nations in a state of reinventing themselves. Global borders were being redrawn, and new breakthroughs in technology, philosophy and medicine meant that populations were reading more, questioning more, communicating with each other more, and living longer. By the 1950s, global migration patterns and Western immigration policies mutually interacted to change the visible population in Canada. Pressures for economic expansion, the need to fill increasing labour demands, and the decline in people from Northern Europe seeking to emigrate led many Western nations to open their borders. Canada was no different. In 1967, Canada eliminated racial categorization on immigration forms, and moved to a “points system” designed to admit the most skilled and financially stable immigrant regardless of race. As a result of this major change to the immigration system, an increasing number of Asian and Eastern European immigrants arrived and gained citizenship. Their presence put pressure on the Canadian government to come up with official policies of inclusion.
These ethnically framed citizens were problematically considered “immigrant groups” even though many of the people who fell into this categorization had family in Canada for more generations than some of the politicians who labeled them newcomers.

The Japanese nissei, or second generation, were a perfect example of this. According to politicians at the turn of the century, the Japanese were only going to be a sojourner group in Canada, coming to provide cheap labour and then leaving to return to their “own country”; now, fifty years later, their “own country” was Canada. The Japanese were not alone. It was becoming abundantly clear than a significant diversity of ethnic groups had become a permanent part of the nation’s population. In light of this, pre-WWII efforts to contain, restrict, and discourage ethnically framed groups eventually gave way to post-WWII efforts to manage diversity within the borders of the nation. As successive Canadian governments began to realize that these populations were growing rather than disappearing, state policies shifted focus.

By the early 1960s, the tide of public opinion was beginning to turn against racial segregation in the law and in social practice. South of the border, the civil rights movement was sweeping America. Earlier Anglo-Canadian policies of exclusion and systematic discrimination no longer seemed an appropriate part of the “modern” society Canada was working hard to build. This push for equality was not limited to matters of race. Feminist groups were promoting models of equality that went far beyond female franchise. Similarly, in many urban centers, and most particularly in Montreal, gay and lesbian groups were beginning to call publicly for inclusion and tolerance. In Quebec, the Quiet Revolution had begun, reforming the place of the Catholic Church as a political entity, and making way for greater gender equality. Political and general protests soon drew Ottawa’s attention, and the decade marked a period of significant unease between Quebec and the rest of Canada, as well as within Quebec itself. This tension culminated in the 1970 October crisis, where two political figures were taken hostage by the separatist FLQ movement (one of which was executed) and Prime Minister Trudeau responded by enacting the War Measures Act and deploying the Canadian Forces to quell unrest. The tensions between Anglophone and Francophone Canadians were very high
throughout the 1960s, and this was reflected in political decisions to review the relationship between the two groups (notably through the Royal Commission on Bilingualism and Biculturalism which will be discussed below).

In Canadian academic circles, the matter of race relations was about to become a discipline of its own. Sociologist John Porter’s book *The Vertical Mosaic* drew significant attention to ongoing problems of an Anglo-dominant Canada surrounded by mini-spheres of immigrant cultural groups. In the wake of Porter’s research, numerous Canadian academics undertook the exploration of racially motivated social inequality. One key text, Davis and Krauter’s *The Other Canadians*, profiled six groups: Indians (conveying Aboriginal and Metis), Eskimos (Inuit), Negroes (Black Canadians), Chinese and Japanese (listed as one category), Doukhobors, and Hutterites. The language used to describe their research is in itself revealing, particularly considering that these researchers were at the leading edge of socially conscious scholarship. In their findings, Davis and Krauter stated, “democracy is in itself no solution... The answer must instead be found in the values of the majority and in the structure of legal safeguards against discrimination.”

Positive government assistance to minorities can take many forms. Enactments can be passed guaranteeing that no group will be subjected to discrimination either by the government directly or by private groups with government support. This is perhaps the easiest method to employ because it requires nothing more than pious statements of goodwill. It is also the least effective approach, since fine words by themselves achieve little.
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Clearly, Davis and Krauter viewed legal solutions to socially discriminatory practices with a high degree of cynicism. Given the history of legal inclusion ethnically framed people had faced in Canada, which offered at best a partial and unstable promise of belonging, it is not surprising that Davis and Krauter had reservations about the limits of legal inclusivity. Just as gaining legal access to the vote had failed to secure equality for women in society, ending racial discrimination in law was not, in itself, a guarantee of social equality. In order to make multiculturalism successful, Canada had to do more than simply enshrine the policy on Parliament Hill in Ottawa; it had to develop a system and a philosophy that would speak deeply to Canadians and motivate meaningful change within the nation. As Davis and Krauter astutely observed, to truly battle discrimination, the values of the historically dominant group would need to be shifted to embody diversity.

3.8 Mapping the Path from Assimilation to Pluralism

The general explanation for how multiculturalism came to be a Canadian reality is a commonly agreed upon one: the Royal Commission on Bilingualism and Biculturalism, while examining the relationship between Francophone and Anglophone populations, received repeated presentations from community and grassroots organizations that highlighted increasing ethnic diversity in Canada, with the result that the Commission determined that while bilingualism was a good proposal for Canada, multiculturalism rather than biculturalism was more appropriate to the nation. This narrative of the timeline has become an accepted version of Canada’s political and social development, echoed by many notable scholars since the policy’s introduction. Effectively, it has become somewhat of a recent national creation story. However, what is absent from this narrative are the deeper questions of why Canada came to explore multiculturalism in the first place, and how it is that Canada’s relationship with this concept has been globally groundbreaking. Canada is internationally acclaimed for being the first nation in the world to develop an official policy of multiculturalism to address ethnic plurality within its borders (1971); additionally, it remains the only Western country to have instituted multiculturalism at a constitutional level, though its inclusion in the Canadian Charter of
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Multiculturalism became a Canadian policy reality in 1971, under the leadership of Pierre Trudeau, John Munro, Paul Yuzyk and the Liberal party. Daniel Weinstock contends, "Multiculturalism was part of a four-pronged approach to creating a modern Canadian identity. The other components were bilingualism from coast to coast (we hadn’t built the third coast into our self-conception back then), the just society, and the Charter." In light of the authority granted to these other aspects of "the modern Canadian society," Weinstock argues that multiculturalism was fundamentally limited in terms of both its scope and its authority.

The Charter says that we are, each one of us, possessed of an inviolable bundle of rights, on the basis of which our equal dignity is grounded. The Just Society and bilingualism provide us with the core distinguishing features of the society in which we as individuals live… What place does that leave for multiculturalism? If the Charter tells us who we are as citizens, and the Just Society and bilingualism inform us as to the main commitments of the society, the public space, then almost by necessity multiculturalism is what is left over: it characterizes the “private” self of Canadians.

In its early form, state sponsored multiculturalism served as a newly instituted experiment in civil organization. Five years after its official entry into law, the policy was described by then Minister of State for Multiculturalism, John Munro, as “recognition of the fact that a democracy such as ours has an obligation to assist its citizens to full participation in the national life of their country.” He defined the role of this policy as “a fundamental way of building a more tolerant and compassionate Canadian community, a community in which all cultures are respected; a community with which all Canadians can identify.”

Significantly, although Munro placed a government made up of members of historically dominant groups as the central director of the policy and enabler of inclusion, he used the possessive “their country,” implying central ownership of the nation by “all Canadians”, which he did not distinguish as immigrant and resident. This vision of multiculturalism as a means of enabling equal
ownership of the nation has been a central, though only partially realized, foundational philosophy of Canadian multiculturalism from its very beginnings, and one that has set Canadian multiculturalism apart from the multiculturalisms adopted by all other Western nations.

Although by today’s standards terminology such as “tolerant” may be critiqued as implying something undesirable, ‘that which must be tolerated’, for its time, the policy was groundbreaking. Its design to facilitate racial equality elicited sizeable objections from the right, which favoured an unofficial Anglo-European dominated assimilation model rather than a legalized pluralistic one. As Douglas Fisher stated, “You and me and our children have enough to do with the basic problem of hyphenated Canadianism, that is the French and English duality, without enshrining the whole world’s diversity within our history and our borders.”

One Francophone critic negatively described Trudeau’s vision as “a Grand Central Station for all the nations of the world, (where) regardless of their numerical importance they are all entitled to the recognition and financial support of the Canadian government.” Even today, nearly forty years after the policy’s introduction, it isn’t difficult to locate similar comments in news media and political discourses.

The path to multiculturalism has not been an easy one for Canada to follow. The way has been fraught with ongoing racism, criticism, financial difficulties, legal, constitutional and social obstacles, and a plurality of interpretations about the policy’s intention that has complicated all aspects of diversity discourse. Nevertheless, multiculturalism has endured, and is now one of Canada’s fundamental principles. While multiculturalism may not be easy, it remains a remarkable development in social organization, and no nation has gone farther along this road, legally and socially, than Canada. Ultimately, multiculturalism is a challenge, one that requires far more careful consideration than most Canadians are willing to give it. Ironically, in many ways it is Canada’s remarkably rapid comfort with the policy that has held it back from becoming fully realized – it is widely embraced without being widely understood.
3.9 Culture Counting

In the post World War II era, the expectation of full assimilation to historically dominant cultural norms was becoming an increasingly non-viable means of coping with immigrant populations. In its place, politicians explored alternative means accommodating an increasing number of immigrants from non-Northern European nations. Assimilation models based on United States policies were widely popular, many of which contained a timeline of progressive, multi-generational assimilation. While it was acknowledged that first generation immigrants would ‘try to adapt,’ under the assimilation model, it was generally assumed that second generation immigrants would be almost fully converted to historically dominant norms, resulting in a continual progression (albeit a slower one than that envisioned in the early twentieth century) towards full assimilation.

While attractive to many because of its commitment to retaining the cultural normativity of historically dominant groups, the adoption of a US integration model was not entirely adaptable, or desirable, in a Canadian context. The need for immigrants, and the shortage of people willing to migrate from ‘traditional’ source nations, ensured that Canada was facing an ongoing situation of diversity growth, as were many Western nations. However, unlike the United States, Canada already contained complexities in managing national diversity that neither of the other two faced – namely the French Canadian population, and the legal protections they had secured to protect their rights to cultural retention.

It is a deep and unresolved irony that the presence of French Canada paved the way to multiculturalism, one that continues to manifest even today through Quebec’s failure to ratify the Canadian Charter of Rights and Freedoms, and the establishment of its own provincial alternative to multiculturalism, entitled interculturalism, which is based primarily on building Francophone culture around language preservation. Arguably, multiculturalism in its current manifestation would never have come to be were it not for the recognized duality of French and English Canada in the 1960s, and yet
many have contended (and continue to contend) that multiculturalism is a fundamental threat to the French Canadian way of life. As the following chapter will discuss in more detail, when the Royal Commission on Bilingualism and Biculturalism was established to look primarily (although not exclusively) at Francophone-Anglophone relations, and returned with a verdict in favour of substantially increasing French language influence, but (as many Francophones saw it) reducing Francophone cultural influence by acknowledging the multicultural nature of diversity across the country.

Howard Palmer, an academic of the period, argued that the move towards multiculturalism in the 1960s did not emerge from increasingly open immigration, but from other social issues. As many others have done since, Palmer credited this willingness to engage Canadian diversity to “the impact of French-Canadian nationalism and the Pearson government’s setting up of a Royal Commission on Bilingualism and Biculturalism, (and) the increased awareness of the way in which ethnicity could provide a basis for personal identity in an impersonal mass society which was unsure of its own values...” Palmer observed that less discriminatory immigration regulations were not the driving cause of multiculturalism; the presence of French Canada, and the recognition of the longstanding and under-acknowledged diversity of Canadians already in the country pushed the nation towards a policy that ‘saw’ these previously almost invisible citizens.

The results of the Royal Commission on Bilingualism and Biculturalism, specifically the findings in Book IV – The Cultural Contribution of the Other Ethnic Groups, are usually regarded as the moment when the idea of Canadian multiculturalism first came into being. These findings will be discussed, but first it is important to observe that there were in fact much earlier indicators that Canada would not follow the United States into an open assimilation model. Observing what was rapidly becoming an ungoverned pattern of diversity, Ontario and the federal government held a conference in early 1953 to discuss “the growing area of complex problems relating to inter-group and intercultural relations.” Following recommendations from this conference, a special research unit in the Citizenship Branch was established. This was then followed by a
second conference later in 1953 where "leaders from minority cultural groups"\textsuperscript{260} were invited to discuss pressing issues around integration at a national level. In 1958, the topic was revisited, only this time on a local rather than national scale citizenship; belonging was the main focus of the debates.\textsuperscript{261}

These conferences, and the discussions they generated, led to two important publications in diversity recognition: \textit{Notes on the Canadian Family Tree} (1960), which looked at the histories and migrations of ethnically framed Canadians; and, \textit{Let Us Look at Prejudice and Discrimination} (1961). Although by today's standards, these publications would be easy to criticize with anti-racist analysis,\textsuperscript{262} for their time they marked a significant willingness to open up ownership of the Canadian nation to ethnically framed groups. This early government engagement with diversity meant that when the findings of the Royal Commission were delivered in October 1969 (after six years of consultation and review), Canada had already been trying to formulate some significant level of engagement with diverse populations for almost two decades. Although there had been few satisfactory answers given in this time period, substantial questions of belonging had been raised regularly and repeatedly and had remained, quite obviously, unresolved. Given this groundwork, when the recommendations of \textit{Book IV} finally arrived, they were difficult to ignore.

In 1963, under the direction of Lester Pearson, with the support of the House of Commons and the provinces, the Royal Commission on Bilingualism and Biculturalism was formed. Despite the obvious title reference to the "two founding nations," from the very beginning the Commission's mandate included the need to consider the place of Canada's ethnic minority groups. In many current critical writings on the origins of Canadian multiculturalism, academics imply that the Commission was asked to investigate French Canadian concerns and instead returned in 1969 with recommendations that listed French Canada as only one among many ethnic minority groups; thus multiculturalism was born. This version is incorrect in two key ways: firstly, it implies that prior to the Commission, the Canadian government was largely unaware of the need to address the issue of ethnic diversity; and secondly, that the results, when
returned, minimized the French claim to a position of central authority within Canada. The recommendations delivered did push Canada to reject the proposed structural biculturalism, but they also provided a vast number of recommendations from the reorganization of government funding transfers to the content of secondary school systems across the country, the majority of which aimed to protect French Canadian rights to language, culture and continuity by formally implementing nationwide bilingualism. Those in government who had followed the previous decades of diversity debate could not have been surprised by the results of the Commission; the very fact that the question of Canada's biculturalism was asked led to multiculturalism as the only obvious conclusion. It was a simple matter of counting. The Commission was asked to comment on Canada being two instead of one, and returned with the response that Canada was neither one, nor two, but many. Potentially, had the Commission been envisioned differently, without the framework of such obvious culture counting, Canada might have moved more easily towards an American diversity management model.

Simultaneous to the consultation process of the Royal Commission, Paul Yuzyk, a leader from the Ukrainian Canadian community, was raising awareness of the presence of other ethnic groups. In 1963, the same year the Commission was formed, Yuzyk was appointed to the Senate, where he lobbied forcefully for the government to create a policy that embraced Canada's diverse populations. In his own life, Yuzuk had experienced severe discrimination, having been rejected repeatedly from teaching jobs he was qualified for on the basis of his Ukrainian ethnicity. In Yuzyk's mind, Canada's propensity to racial and ethnic discrimination was its greatest flaw, one that was holding back not only a significant percentage of citizens wanting to participate equally, but also the nation itself. Yuzyk was a critically important figure in the development of Canadian multiculturalism; because of his belief that Canada needed to not only accept diversity, but also to undergo a fundamental change in its value systems, Yuzyk instilled in the policy a sense of ownership for ethnically framed people. Following the recommendations of the Royal Commission, Yuzyk drafted the Multicultural Policy that was put forward by the Trudeau Liberal government in 1971. It was the first policy of its kind to be adopted by a Western nation, and was supported unanimously by all parties,
which (as the following chapter will examine) speaks to the political flexibility of the concept of a state-sponsored multicultural model. Each party saw in the dawning of official multiculturalism a different vision of Canada’s future – a multiplicity that did not clearly manifest contradictorily in the then-poorly-defined, open-definition policy.

3.10 A Brief Legislative History of Canadian Multiculturalism

In the context of the recommendations of the Royal Commission, it is significant that multiculturalism was implemented only as a policy statement accepted in the House of Commons in 1971 (two years after the release of the report), while bilingualism was legislated through *The Official Languages Act* of 1969.\(^{266}\) This left the policy on insecure footing, with only a small budget, at high risk of being reversed by something as simple as a change in government attitude. Although the 1960 *Canadian Bill of Rights* prohibited discrimination based on the basis of race, religion, colour, sex or country of origin, there was little force behind this policy in the day to day running of the country. The very fact that Canada’s immigration regulations did not move to the points system until 1967 is evidence that the *Bill of Rights* did not result in an immediate about-face of all race-based policies. Indeed, it was primarily through the *Canadian Human Rights Act* of 1977 that Canada constitutionally recognized equal rights across diverse ethnic groups; the policy came into effect on March 1\(^{st}\) 1978.\(^{267}\) This right to equality was further solidified in 1982, with the addition of the *Canadian Charter of Rights and Freedoms* to the Constitution. It was a further three years until the equality rights as outlined in the *Charter* came into effect, making 1985 a key date for ethnic equality.\(^{268}\) It was also in 1985 that the *Official Languages Act* was updated, reiterating “formal recognition of both French and English but also extend(ing) certain protections to other linguistic groups.”\(^{269}\) While the multicultural policy gets most of the popular credit for facilitating equal rights in Canada, multiculturalism did not make it explicitly into the *Canadian Charter of Rights and Freedoms* until 1982.

When multiculturalism was first presented to the House in 1971 by Prime Minister Trudeau (drafted by Paul Yuzyk), the policy\(^{270}\) listed four key aims. (These aims
have been updated several times, which will be discussed in greater detail in later chapters.)

1. The Government of Canada will support all of Canada’s cultures, and will seek to assist, resources permitting, the development of those cultural groups which have demonstrated a desire and effort to continue to develop, and capacity to grow, as well as a clear need for assistance.

2. The Government will assist members of all cultural groups to overcome cultural barriers to full participation in Canadian society.

3. The Government will promote creative encounters and interchange among all Canadian cultural groups in the interest of national unity.

4. The Government will continue to assist immigrants to acquire at least one of Canada’s official languages in order to become full participants in Canadian society.

Significantly, the policy only obligated the government to assist those groups that, in effect, had already helped themselves. Clearly targeted at more established cultural groups, the policy was unspecific in the criteria used to assess things like “demonstrated desire” and “capacity to grow.” The phrase “resources permitting” shows the policy was clearly not a top priority for Canada, but was contingent on a surplus of funding left by other priorities. Problematically, the early policy approached ethnically framed people as being organized into distinct groups; one was a member of a cultural group, and then the government assisted that cultural group to achieve “full participation.” (This continues to be an issue today, as evidenced by the work of Vertovec and Mahtani. It was only the fourth point that dealt explicitly with individuals.

Despite the enthusiastic publicity that surrounds the policy today, early Canadian multiculturalism was far from a spontaneous move to include those who had previously
been racially and culturally excluded from the national narrative. These people neither arrived suddenly in the late 1960s, nor were they silently content in the period leading up to the formal introduction of the policy. Rosemary Brown, a speaker at the 1976 Second Canadian Conference on Multiculturalism pointed out that the policy emerged as a response to the needs of Canada’s diverse population – a population that could no longer continue to be ignored if the nation was to move forward successfully. Additionally, she warned against ethnically framed groups being included only to the extent that they were useful to the historically dominant community: namely, as a voting block, as folk entertainers, and as a cheap source of labour for undesirable jobs. As the next chapter will explore in detail, these thirty-year-old cautions attached to Canadian multiculturalism continue to resonate in the works of contemporary Canadian policy critics.
Endnotes:

173 Many contemporary feminist scholars present critiques of Canadian immigration policy and the extent to which systemic racism continues to inform political, legal and social decision-making in Canada. These concerns have not gone unnoticed by government, and many current federal and provincial multicultural policies openly acknowledge that systemic racism remains a problematic Canadian reality in need of address.


182 It is interesting to note that similar rhetoric still exists in contemporary media and popular debates around immigration.


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195 ibid. p.89


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201 Dates are taken from Roy, Patricia E., and John Herd Thompson. *British Columbia: Land of Promises*, p. 90. Dates in other sources vary, some listing the $100 Head tax as 1900, and the $500 head tax as 1903.


203 ibid.


213 ibid.

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218 Ibid. p. 93


221 Ibid. p. 118

222 Ibid. p.103


224 Ibid


228 Ibid. p235

229 Ibid.


232 Ibid. p. 242

233 www.japanesecanadianhistory.net/reference_timeline.htm


236 Ibid. p. 99
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237 House of Commons debates, 1947 p.2646 May 1st
242 ibid.
245 ibid. 102
246 Kallen, Kobayashi, Bannerji, Jansen (25-26)
248 Ibid. p.2
250 ibid. p.123
251 ibid. p.15
252 Ibid. p. 51
254 ibid
256 See Chapter four for more details.
260 ibid. p. 6
Kobayashi has critiqued Family Tree, but acknowledges its preliminary usefulness.


Ibid.

Ibid.


Chapter 4: Rationales for Multiculturalism

Multiculturalism in the Making:
The Place of Policy Rationales in Determining Social Results

If one considers lingering aspects of racism to be systemic in Canada, and that multiculturalism (as part of this system) also contains aspects of embedded racism, is multiculturalism therefore a flawed policy that might be foundationally incapable of supporting meaningful equality? Furthermore, is the pro-equality agenda laid out in Canadian multicultural policy mutually exclusive to the political utility of the policy for the historically dominant group, or is the interaction between the two more complex? In essence, can a policy that benefits the historically dominant group also work to enhance equality, or are the two fundamentally at odds?

This chapter examines the evolution of Canadian multiculturalism, with a particular focus on the embedded, and often ignored, guiding rationales behind the policy. Because of these embedded rationales, which have evolved over time into foundational philosophies, multiculturalism is not a single entity but a complex compilation of influences that stay within the policy (to varying degrees) as it evolves. These rationales permeated the discourse of multiculturalism at the time of its creation as government policy, and contain key clues about the answers to the above questions, and to the question of whether or not there is anything distinctive about Canadian multiculturalism that explains the nation’s strong multi-decade commitment to the policy. There is no doubt that a review of the literature shows ongoing problems with Canadian multiculturalism, but it also indicates a strong belief across the academic community that Canadian multiculturalism contains something worth saving. Exactly what this is may be understood by examining the guiding principles that informed the policy from the moment of its creation through to contemporary times.

In brief, these rationales or guiding philosophies are: multiculturalism as a means of limiting Francophone and Aboriginal claims to central political authority; multiculturalism as reversible or as a social experiment; multiculturalism as a provider of distinct Canadian identity; multiculturalism as means of securing global influence and
international prestige; multiculturalism as a marketing tool for economic growth and big business success; multiculturalism as a means of managing diversity or mediating open-borders pressures; and finally, multiculturalism as a facilitator of anti-racism and equality. These rationales are complexly and often conflictingly woven into the policy. Some act to ensure ongoing authority of the historically dominant group; others perform an opposite function; some are capable of doing both at the same time. As Eva Mackey points out in her review of multiculturalism, "One of the essential features of Canadian nation-building is its flexibility and ambiguity. Canadian nation-building is an extremely contradictory, conflicted, contested and incomplete process." Arguably, within multiculturalism these flexibilities, ambiguities and contradictions are created by the multiple rationales behind the policy that compete to influence the foundational philosophies it develops.

To understand where and how these multiple rationales fit into Canadian multiculturalism, it is useful to look to the work of Audrey Kobayashi, who described Canadian multiculturalism as having three distinct phases: demographic multiculturalism, which began in the 1880s and is considered by Kobayashi to be the social reality of multiple ethnic groups inhabiting Canada; symbolic multiculturalism, which is the time after the 1971 policy was introduced in the House of Commons, and which is marked by a focus on funding cultural endeavours; and thirdly, structural multiculturalism, which is the stage just prior to and since the 1988 constitutional changes, where multiculturalism begins to seriously engage human rights rather than just cultural endeavours.

Many of the rationales listed above directly enable what Kobayashi has termed symbolic multiculturalism; essentially, they permit the celebration of culture and equality in principle rather than in practice, without disrupting long held support structures serving the interests of the historically dominant group. Functional, useful multiculturalism for the twenty-first century requires working through the embedded rationales that promote symbolic multiculturalism – those that limit the policy’s capacity to move forward into a stage of structural or rights-based multiculturalism. As this chapter will show, Canada has already come to grips with a number of these rationales,
and has modified or discarded them in order to facilitate a more equality-based system. For the most part, Australia, Britain, Sweden and the Netherlands have not. It is no coincidence that European policies are being criticized for promoting harmful isolation for ethnically framed groups, or that the Howard administration in Australia has scaled back multiculturalism until it has become little more than a business advantage in keeping with a neo-conservative agenda. In essence, versions of state-sponsored multiculturalism in other parts of the world are in political trouble and are not seen to be functionally promoting ethnic integration because they have continued to rely on many of these embedded rationales (disproportionately serving the interests of historically dominant groups) without revisions, while ignoring those rationales that promote structural or rights-based equality.

Because these embedded rationales co-exist in contradictory ways, they battle internally for control of the policy. By failing to revisit and revise these underlying philosophies, Britain, Australia, Sweden and the Netherlands continue to emphasize and retain the original political utility of multiculturalism — a political utility that disproportionately serves the interests of historically dominant groups and is embedded in multiculturalism through its creation from a racially unbalanced system. Canada, on the other hand, has increasingly emphasized the human rights rationales for formulating multicultural policy, and beyond that, has actively endeavoured (albeit imperfectly) to revise or do away with other rationales that disproportionately favour the interests of some groups over others. Effectively, multiculturalism in Canada is not being abandoned the way it is in other Western nations because it is no longer the same multiculturalism. Canadian multiculturalism is different from other forms that appear to be severely faltering because it has been continuously monitored and revised by governments committed to the policy, activists and academics who have tipped the scale towards its equality potential, and away from embedded agendas disproportionately serving the interests of historically dominant groups.

In making these claims, it is important to understand multiculturalism as a continually evolving system, one that still contains conflicting priorities. By examining...
the early rationales of the policy, and weighing them against contemporary value systems, it becomes easier to see where the policy is succeeding, and where it still requires work. In order to truly see the policy, one should consider it not to be a single idea, but rather a compilation of elements that are at times cohesive, and at other times conflicting. Rather like a weigh scale, all state-sponsored multiculturalisms begin as a balance between equality-serving potential and the systemically embedded interests of the historically dominant group, i.e., racial inequalities. What matters is which side of the scale each nation adds to and removes from... in the end tipping the scale forcefully in one direction or the other. Canada has added emphasis on the human rights side through legal and social choices in the policy's direction, while removing weight from the other side of the scale through recognizing and attempting to remove systemic racism in the policy itself and the rest of the government. Britain, Australia, Sweden and the Netherlands have done the opposite, to varying degrees.\textsuperscript{276} Significantly, Sweden began with a highly anti-racist multiculturalism that has been eroded over the decades by policy revisions and public concerns over the influx of asylum seekers, to the extent that the policy is now barely recognizable from its original intent.\textsuperscript{277} Currently, the world is looking at multiple sets of scales, all labeled multiculturalism, and all displaying very different results. As a result, criticisms leveled at multiculturalism, whether from progressive or conservative camps, problematically tend to fail to distinguish between different elements of the policy, sometimes leading people to reject the policy in its entirety, rather than assessing, then accepting or rejecting specific aspects of the policy.

It is with a deep sense of irony that one must consider the evolution of these competing agendas in the context of progressive versus conservative critiques of multiculturalism. As David Ley has shown, well-intended criticisms of the policy from progressives may play directly into the hands of politically conservative opportunists seeking a reason to weaken or abandon multiculturalism. However, there is another side to this situation. A close examination of the different rationales and applications of multiculturalism demonstrates how a failure to meet the challenges posed by progressive critiques may indeed result in policies that are guilty of creating the isolation conservatives claim is the fault of multiculturalism. In these situations, such as the
position Britain currently is in, equality may not be best served by retaining the policy — not unless those in power are willing to do what it takes to make it serve equality rights agendas rather than historically dominant ones. Potentially, a multiculturalism that cannot satisfy progressive calls for genuine inclusion may not be a policy worth retaining. (However, this does not mean that the concept of multiculturalism is fundamentally flawed or that it cannot be made to successfully promote integration and advanced social equality.) Multiculturalisms that disproportionately serve the interests of historically dominant groups already provide ample political opportunism for conservatives, therefore the undermining of this type of policy by conservative leaning governments should not automatically be considered a heavy loss.

By reading multiculturalism with a close eye on the competing agendas contained in the policy, it becomes easier to understand why challenges from the left and right seem to be coming together, particularly in Europe, over multiculturalism’s apparent failure to foster meaningful inclusion. It also becomes easier to see that eliminating the policy will not necessarily solve the problems progressives or conservatives identify with multiculturalism. In order for multiculturalism to be done well, it requires significant social commitment to the equality rights potential of the policy — anything less is a dangerous combination of illusory inclusion and reinforcement of historically dominant group interests. While removing multiculturalism entirely may remove the illusion of inclusion, it will not speed progress towards the genuine article.

In order to locate the changes that have set Canada on a significantly different policy track than that of other nations, one must begin with a close analysis of choices made in Canadian multiculturalism — choices that were not made, or were made differently, by other nations. In this search, it is important to keep two things in view at all times — the competing agendas of the historically dominant group and equality rights discourse, both of which have always been present in the policy. As different rationales have come to the foreground under different political administrations, they have guided the foundational philosophies in different directions. Because of this, multiculturalism
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contains a highly complex set of foundational philosophies developed over four decades of shifting political influence.

4.1 The Contentious Politics of Becoming One Among Many

Canadian multiculturalism was accepted as a policy statement in the House of Commons, tabled on October 8th 1971. Although all parties accepted it, it is clear from their statements that each government party understood something different in the term “multicultural.” The practice of all-party acceptance without clear definition is a tradition in Canadian parliament, illustrated by the adoption of “Aboriginal rights” in 1982 and most recently with the 2006/2007 move to recognize Quebec “as a nation.” In the absence of a clear definition proposed by the Liberals, the Progressive Conservative leader, Robert Stanfield, declared support for multiculturalism by reiterating English and French prominence, stating, “The emphasis we have given to multiculturalism in no way constitutes an attack on the basic duality of our country.” The New Democratic Party fell to the other side, hailing the project as one that would bring about greater recognition of “the value of the many cultures in our country,” and the Crediste leader, Real Caouette, spoke with great enthusiasm for the fact that the policy finally recognized that Canada was one nation, not two, not many. Thus, Canadian parliament marched enthusiastically forwards towards multiculturalism with everyone facing in a different direction. Ultimately, it is the multiple competing rationales for multiculturalism that facilitated this plurality of different ideas about the policy’s intention. The lack of clear definition of the early policy permitted these competing agendas to flourish in a broad scope where they did not initially appear to contradict each other.

Despite parliamentary enthusiasm across all parties, in the public sphere early multiculturalism was contentious and heavily criticized. There were many who remained unconvinced that assimilation was undesirable, and there were loud accusations that the Liberals were catering to the ‘ethnic vote’ at the expense of Canadian nationalism. Not all ethnically framed groups were convinced either. However, the pattern of power relations in the policy, as well as in the public debate – that of the historically dominant groups in
Canada offering an olive branch to ethnically framed populations – presented a problem to many Francophone Canadians and Aboriginal Peoples who did not find their place in the nation reflected well in the new policy.

4.1.1 Multiculturalism versus Nationalist Francophone Interests

While multiculturalism was championed in many parts of Western Canada, the idea faced strong provincial opposition in Quebec, where it was viewed as another bureaucratic maneuver to undermine French authority. Kas Mazurek relates,

Understandably, some leaders in Quebec were outraged that a Royal Commission that was supposed to articulate and alleviate their concerns had somehow given rise to what they perceived to be a policy of preferential treatment to Canada's ethnics (that is, non-Anglos and non-French.) That preferential treatment was seen to be at Quebec's expense and to diminish the status and privileges of one of the so-called founding races of Canada. \[280\]

Despite the other recommendations in the Commission's report around French language preservation, multiculturalism was the idea that captured the imagination of the country, and many Francophone Canadians saw their already tenuous hold on political authority being strategically unclenched by the policy. \[281\] Contemporary critic Neil Bissoondath supports the claim that one of the key justifications behind the policy was to deliberately maintain Anglo-Canadian control by mitigating Francophone calls for a bilingual Canada. According to Bissoondath, "It reads like an indictment, multiculturalism boosted into the limelight not as a progressive social policy but as an opportunistic political one... If the emphasis on federal bilingualism seemed to favour francophone Quebec at the expense of the rest of the country, enhanced multiculturalism could be served up as a way of equalizing the political balance sheet." \[282\] In Bissoondath's view, a prime rationale for the establishment of the policy was the preservation of Anglo-Canadian dominance through the establishment of a weak, albeit rhetorically convincing multiculturalism. Bissoondath refers to the comments of Rene Levesque, who stated, "Multiculturalism, really, is folklore. It is a 'red herring.' The
notion was devised to obscure ‘the Quebec business,’ to give the impression that we are all ethnics and do not have to worry about special status for Quebec.”

Bissoondath’s (and Levesque’s) perspective demonstrates how the presence of multiculturalism symbolically undermined the concept of two founding nations, which Bissoondath and Levesque contend was a greater expense to Francophone Canadians than Anglophone Canadians. However, even considering this position, it would be a mistake to reduce the complex goals and politics of the policy down to this rationale exclusively. However it was rationalized politically, the nationalist Francophones depicted multiculturalism as a policy servicing the needs of Anglo-Canada, in opposition to the French Canadian right to self-preservation; and this duality placed ethnically framed communities within Quebec in a difficult position. As the Reverend Father Leger Comeau summarized, “In the great majority of cases, multiculturalism events and activities in Canada are conducted only in English. Multiculturalism all too often means English unilingualism. The tendency to lump the francophone group together with other cultural minorities can only result in anglicization and therefore a loss of identity.”

Professor Guy Rocher echoed these sentiments, writing, “To many francophones in Quebec, other ethnic minority groups in Canada are within orbit of the anglophone community… the great majority of them have adopted English as their main language… To the francophone Quebecer, multiculturalism is an aspect of Canadian life which is associated primarily with the anglophone community.” Critics argued that multiculturalism effectively represented a lack of central national culture, a sort of indistinguishable void that would cause Canadians to lose their sense of self. Many Francophone Canadians attempted to capitalize on the fear of dissolution of a “Canadian” identity; they argued that biculturalism was far simpler and far stronger, and therefore far superior to multiculturalism, and that multiculturalism would soon lead to multilingualism and the disappearance of French language. (Clearly, they did not support unilingualism and monoculturalism as stronger and simpler than bilingualism and biculturalism.)
Despite their position on multiculturalism, even Francophone critics were not in a position to deny that there were other significant rationales in support of the policy. As Rocher admits, "Perhaps Canada really is a multicultural nation. No one would deny the existence of ethnic communities and the active role they have played in Canadian life, especially since WWII." But Rocher clarifies his position by adding, "However, it is one thing to recognize this reality and even encourage it... and another thing to define nationhood on that basis. The sociological existence of all the ethnic groups that have emigrated to Canada must be recognized and respected, but that does not mean we should reduce the country’s official image to one of cultural multiplicity." Reading Rocher’s comments, a complex division arises, made possible by the failure to relocate the central axis of European dominance in Canada’s cultural and political spheres of influence. While Rocher argues for the recognition of non-Anglo and non-French communities, it is clear that this recognition does not extend as far as significantly reshaping Canadian identity to include their influence. Ethnically framed groups are invited to be present in the nation, but only in a silent and non-threatening way. Unlike Paul Yuzyk’s and John Munro’s vision of active inclusion and national ownership, Rocher’s comments indicate a sort of distanced acceptance of cultural diversity at arm’s length from any central authority or major national cultural change. In many ways, Rocher’s comments on partial but non-influential inclusion lead in the direction of the non-constitutional multiculturalism practiced by Canada in its symbolic stage and adopted by Australia and Britain – a multiculturalism that can be understood as diversity without centrality, or presence without ownership.

4.1.2 Multiculturalism and Aboriginal Peoples

While not directly implicated by Rocher’s comments, the role of Aboriginal Peoples is important to mention here. In their quest to protect French culture from multiculturalism, nationalist Francophone Canadians tried to derail the policy on the grounds that these ethnically framed groups had not participated in the two founding nations version of Canadian history. This argument placed Quebec’s relationship with Aboriginal communities in a difficult position. The relationship between Francophone
Canada, Aboriginal Peoples and multiculturalism has always been a complex one. Trudeau, Munro and many of multiculturalism’s strongest supporters have indicated that Canada has always been a multicultural nation, pointing to the presence of French and Aboriginal Peoples.\textsuperscript{291} Ironically, when the policy was introduced, Aboriginal Peoples suddenly found themselves at the centre of a storm of citations about early Canadian diversity, creating the public impression of an acknowledged role in the founding of Canada – a version of history that simultaneously spotlighted and disempowered them. At a time when they could hardly get Ottawa to the table to discuss land claims and basic necessities on reserves, Aboriginal Peoples became an instant “third pillar” in the nation’s founding mythology – a “third pillar” that was ironically used to rationalize the abandonment of the pluralistic metaphor in favour of a unifying multiculturalism, where all groups were seen to play some role in ‘founding’ Canada. With the coming of multiculturalism, Aboriginal Peoples traveled rapidly into the spotlight, and then just as quickly out again – reference to their place in multicultural Canada is given in the introduction of almost every major government report on the policy as a testament to Canadian diversity, and yet critical engagement with Aboriginal issues (including questioning the relationship between multiculturalism and Aboriginal Peoples) was almost entirely absent from government multicultural publications until the 1990s.

Predictably, the move to multiculturalism in the context of immigrant community empowerment drew little support from Aboriginal leaders, who saw the changes as one more way of diluting indigenous claims to land and community.\textsuperscript{292} The main concern was not whether Aboriginal Peoples belonged within the policy; rather it was the gap between the soft language of inclusion and the hard political experience of exclusion that the policy seemed to enable. Multiculturalism was very much, at the time of its inception, a discourse of immigrant narratives – whether “founding” or “minority.” This discourse left Aboriginal Peoples with no opportunity to express diversity within a policy of diversity – the discourse of “we are all ethnic” made it difficult for Aboriginal Peoples to delineate between immigrant and indigenous ethnicities, which was a critical distinction.
Clive Linklater, speaking on behalf of the National Indian Brotherhood at the Second Canadian Conference on Multiculturalism in 1976, stated,

We have become overwhelmed and outnumbered by the Europeans that immigrated to these lands and they have considered us to be subject and subservient people and have treated us so...

As Indian peoples we intend to share, to contribute, and to profit from the riches and bounty of this land. But we have not been allowed to share fully and abundantly of the riches of our land. The intent of the European immigrants is to exterminate, to terminate, to dispossess, to extinguish and alienate us from our lands and to make us beggars, strangers and outcasts in our own lands.

But for yourselves, you now seek to establish a nation with a multiplicity of races, cultures and languages. You would leave us, the indigenous owners of this land, out of such an arrangement. We consider such an action to be immoral, illegal, unethical, unChristian, undemocratic and contrary to all the values and mores you profess to believe.

Linklater’s comments pick up on a number of things that highlight the difficulties of multiculturalism as a policy for both indigenous and immigrant groups. To Linklater, the differences between French and English, minority and majority, are very minor - they are all European and they are all immigrant. Any differences between the groups are small in comparison to the difference between immigrant and indigenous populations. Linklater conveys the deep concern that multiculturalism does not incorporate Aboriginal Peoples, or engage them in dialogue around shaping the policy, and he conveys a strong desire on behalf of Aboriginal Peoples to be included in the discussion. Additionally, Linklater points out the hypocrisy of European claims to justice and an advanced society given their treatment of indigenous peoples.

In the early decades of multiculturalism’s evolution, there were few alterations to the policy that concretely addressed these concerns. During this early period, Canada still actively maintained the residential school system, which systematically worked to disempower and destroy Aboriginal communities, languages and traditions. While multiculturalism, however politically motivated, facilitated the integration of ethnically
framed people into positions of increased centrality, the policy was not extended in a similar fashion to Aboriginal Peoples. The emphasis in immigrant discourses was on cultural retention, inclusion and monitored participation; for Aboriginal communities, it was about elimination, exclusion and segregated containment. Therefore, as Linklater’s comments foreshadowed, as the policy evolved, its emphasis on equal rights for all ethnicities was not practically applied to the government’s treatment of Aboriginal Peoples.

The landmark political moves towards Aboriginal equality are not the landmarks of multiculturalism. The major change for Aboriginal rights came not in 1971 with the elected government’s implementation of multiculturalism, but in 1973, with a Supreme court ruling that “Aboriginal rights” were a distinct form of rights, and that Aboriginal Peoples must be recognized in a distinct way. It was not until 1982 that the government formally adopted this idea, making amendments to the Constitution to include language around “Aboriginal rights.” However, even more so than multiculturalism, this ‘equality package’ was undefined, and therefore symbolically rather than materially powerful in facilitating greater equality. This change to the Constitution was part of the Canadian Charter of Rights and Freedoms, stipulating increased recognition of equality amongst all Canadians.

By the late 1980s, Aboriginal engagement with multiculturalism had fallen into an uneasy co-option, somewhere between ‘not included’ and ‘not not included.’ The 1991 government publication Multiculturalism: What is it Really About? lists under common questions “Does multiculturalism include Canada’s Aboriginal peoples?” The answer, according to the publication, is:

- The multiculturalism policy is for all Canadians, including Aboriginal peoples.
- Many of the issues to which multiculturalism responds – racism, understanding of different cultures, and preserving culture – concern Aboriginal peoples.
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- The Canadian Multiculturalism Act explicitly recognizes the special status of Aboriginal peoples.

Despite this feel-good inclusivity, following this list, the document contains a significant "however" that states, "many of their political, social and economic concerns are beyond these programs."297 (The use of the word "their" is not significant as a separating choice of language in this case – the entire document refers to all groups in the third person.) This caveat betrays the main method of handling Aboriginal issues within a multicultural framework: the policy is what it is, and all Aboriginal concerns that do not fit easily are dealt with separately. Rather than modifying the practices of multiculturalism to accommodate Aboriginal Peoples, the easier fall-back is to simply deal with concerns in other ways, namely by designating them to the still much segregated and problem-plagued Department of Indian and Northern Affairs.

Because early multiculturalism was set up with a fundamental discourse of immigrant integration, it has been extremely difficult to use multiculturalism to address Aboriginal concerns, regardless of any enthusiastic government publications to the contrary. (Ironically, Aboriginal concerns have done a great deal to benefit multiculturalism, largely through justification for the policy on the grounds of Canada’s preexistent diversity.)

The 2005 Canadian Action Plan Against Racism shows one of the most recent examples of this difficult relationship. Produced under Canadian Heritage, the document strongly emphasizes the discrimination Aboriginal Peoples face, and yet there are missed chances to make inclusion explicit. The document refers to "all sectors of society – governments, organizations, individuals, ethno-racial and ethno-cultural communities"298 As with all things multicultural, Aboriginal Peoples are grouped as one more ethno-racial, ethno-cultural group – a language that has always strongly indicated immigrants. If multiculturalism is ever to really be a policy for all Canadians, both the language and the practices of multiculturalism must move away from subsuming Aboriginal Peoples under
a discourse of immigrant narratives and settler priorities, and must accommodate a distinction between indigenous and immigrant diversity.

4.1.3 Rationalizing Multiculturalism as Control Mechanism

Multiculturalism's relationship with Canada's Aboriginal Peoples has always been problematic due the emphasis in the policy on immigrant discourses. Although multiculturalism may or may not have acted to reduce Francophone interests, it provided a framework for national cultural engagement based on immigrant histories (English, French and ethnic minority) that did not serve Aboriginal interests as well as it should have. This remains an area of conflict within the policy. If Bissoondath and Levesque are to be believed, and the policy was aimed at reducing Francophone authority in Canada, a side consequence of this must certainly be considered to be the disempowerment and further marginalization of Aboriginal authority.

In terms of guiding rationales for multiculturalism, this one in particular is unique to Canadian multiculturalism. As shown above, the Canadian government creating the policy was forced to contend with two distinct groups in addition to the ethnically framed groups seeking visibility and centrality. Multiculturalism in Europe has never had to contend with a dominant immigrant group and a native position – the two are one in the same in Britain, Sweden and the Netherlands. In Australia, although there were Aborigines to consider, there was only one main European power active in government – not two attempting to define themselves against each other. Significantly, Canadian multiculturalism emerged not as a discourse between a dominant and an underrepresented group, but as a discourse between four distinct groups – Aboriginal Peoples, Francophones, Anglophones and ethnically framed groups - each of which had complex power relationships with the other.

Clearly, Aboriginal and Francophone engagement with multiculturalism has been far from easy. This can be read as a key advantage of Canadian multiculturalism – strength developed through an obvious flaw. Because the involvement of these two
groups, and particularly due to the problematic attempt to place Aboriginal Peoples within an immigrant-centered policy framework, Canadian multiculturalism has always been seriously contested. Arguably, it is this contestation that has served the policy far better than easy acceptance on all fronts because it has continually pushed the policy to face its most difficult challenges of inclusion – something not all multiculturalisms in the Western world have been forced to do over the years.

To assess the rationale that multiculturalism limited Francophone and Aboriginal claims to central authority, there is no doubt that this was (in some ways) true. The difficulty with this rationale is the leap from stating what its partial effects were to Bissoondath’s claims that the effects were intended results. At most, it can be considered to be only one of many rationales for multiculturalism, some of which provide far stronger justifications for the creation of the policy. If indeed the main rationale for the policy’s creation was to limit Francophone influence, as Bissoondath suggests, there would likely have been other (more directly effective) parliamentary ways to achieve this without proposing to restructure the entire national cultural project.

4.2 Rationalizing Reversible Multiculturalism

The complex relations of Anglo, Francophone and Aboriginal Peoples provides one dynamic of Canadian multiculturalism that is distinct from policies developed by other Western nations. The inter-group conflict and resulting dialogue has forced successive Canadian governments to address embedded inequalities in the policy on an ongoing basis. However, this alone is not enough to explain the significant division in contemporary multiculturalisms between Canada and other countries. Other hidden rationales in the policy must be examined. One rationale that provides perhaps the clearest difference between Canadian multiculturalism and the multiculturalisms of Australia, Britain and the Netherlands is the idea of reversible multiculturalism, or multiculturalism as a controlled experiment in social diversity. This language is present in the multiculturalisms of all nations who have employed the policy. It signifies a conflict between equality and historically dominant agendas. However, only in Canada
has this tension been resolved through the move to enshrine multiculturalism in the Canadian Charter of Rights and Freedoms and through the establishment of the Canadian Multiculturalism Act – both of which elevated multiculturalism from a temporary policy, heavily influenced by party politics, to the level of a firm (twice affirmed) constitutional commitment.

It is useful to remember that Canada was the first nation to employ multiculturalism as government policy, and that other nations have based their multiculturalisms, at least in part, on the Canadian system. In its earliest policy-based manifestation, Canadian multiculturalism emerged as a somewhat tentative move toward recognizing and managing diversity, described by James Frideres as “a bold new experiment”\(^\text{300}\) in social organization. At a time when international anxieties were high over the Vietnam War and Asian refugees, the spread of communism into the West, and the lack of white immigrants to satisfy the recruitment efforts of both First and Third world nations,\(^\text{301}\) multiculturalism marked a strategic engagement with ‘the other’ at home in Canada. In its early stages, multiculturalism was far from being viewed with the same level of acceptance as it is today. The idea of multiculturalism as Canada’s only option for diversity was far from prevalent at the time of the policy’s development.\(^\text{302}\) As this chapter will show, multiculturalism in the 1970s was considered a policy direction that could be easily backed away from should it prove to be unsuccessful.

In 1976, at the Second Canadian Conference on Multiculturalism, critics from the Anglo-Canadian right and from Quebec were in favour of reversing the policy, stressing its experimental nature. From their perspective, it was something that could be easily undone. Charles Lynch predicted that multiculturalism would fade out as soon as John Munro was no longer the minister responsible for the policy.\(^\text{303}\) Arnold Edinborough argued that multiculturalism should be abandoned because it would require impossible and undesirable changes to the constitution.\(^\text{304}\) Numerous Francophone critics called for the policy to be repealed on the grounds that it was harmful to French Canadian interests.\(^\text{305}\) The Reverend Father Leger Comeau, citing a brief submitted to the government in 1975 by the Federation de Franco-Colombiens, argued that
multiculturalism should be set-aside for a time in the future after bilingualism had been fully implemented across Canada. These people were not random observers, but respected leaders, writers and politicians in their respective communities – people who exercised a certain political leverage. Their comments, therefore, should be considered to have weight. Five years after Yuzyk saw his policy successfully introduced in Ottawa, critics were still unconvinced that Canada was moving in the right direction. More than that, they approached the policy as one that could be easily done away with by a simple parliamentary move. They did not perceive multiculturalism as something either natural to Canada, or irreversible. In essence, they treated official multiculturalism as exactly what it was at the time – the choice by a single government to pass a policy in the House, and subsequently, something that could be changed by a show of political hands. Adhering to the letter of the law, many read multiculturalism as little more than a political choice, and a bad one at that – not as a philosophy driven by the changing body of Canada’s population. Critics recalled assimilation as a fully viable option for Canada to return to in the 1970s, and pushed for this as the primary means of coping with immigrant populations and ethnic diversity.

Multiculturalism’s critics were not alone in the view that multiculturalism was in an initial, reversible ‘testing’ phase, although they were the only ones calling for the ‘experiment’ to be ended. As Michael Novak, executive director of the Ethnic Millions Political Action Committee in New York, pointed out to the 1976 Canadian assembly, “We are engaging in an enterprise that is unique in history... It is exceedingly important for the future of the planet because, for certain, this is going to be a multicultural planet... We in North America, I believe, are engaged in a great experiment.” While Novak did not distinguish between Canadian multicultural policy and the de facto multiculturalism of the United States, he approached multiculturalism very much as a new thing, “an experiment” in social organization and nationalism for the future.

The discussions at this important Canadian conference illustrate that early multiculturalism was perceived by both those opposed and those in support as experimental, potentially reversible, and new to the world. This was not a perspective that
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faded quickly. Multiculturalism was unconvincing to many in its early years. Despite the fact that John Munro, Minister for Multiculturalism, claimed that multiculturalism was essential for Canadians to achieve an inclusive and successful society, he also acknowledged in 1976, five years after the policy was introduced, "these initial findings do little to reassure me that multiculturalism is solidly entrenched, or to convince me that multiculturalism is impregnable to a reversal in the general climate of acceptance." 308

Two years later, at the Third Canadian Conference on Multiculturalism, Senator Peter Bosa reminded delegates, "Let us not underestimate the notion held by some Canadians, that the most expedient and clear-cut way to unify the country is through assimilation." 309

Clearly the idea of an unassailable multiculturalism was not strong in Canada in the decade following the policy’s introduction.

The reversible nature of multiculturalism has been a leading debate among many scholars in recent times, given the recent global shift to the political right. This debate has been a long time coming, and was hidden in previous years by the rhetoric of unexamined enthusiasm that pervaded early multicultural policies in the Western world.

In an Australian context, Ghassan Hage has argued that multiculturalism is not reversible, in the same way that it was unavoidable.

The move from assimilation to multiculturalism did not happen because some White Australian sat there, with index on lips, asking: "Let’s see now, what shall I choose? Assimilation or Multiculturalism?" It happened because Australia’s demographic and socio-cultural reality changed such that assimilation could no longer work... If a new policy was not created to encompass this spread (of culturally diverse social forms and processes), the latter would have had to remain outside the realm of policy and as such, ungovernable... The recognition of diversity did not cause diversity to happen, it was precisely because diversity had already become an entrenched part of social reality that no attempts to impose assimilation could change the fact that the government needed a policy that could recognize this diversity in order to govern it. 310

Despite Hage’s insistence that multiculturalism is not in fact reversible, some contemporary events suggest otherwise, such as Australia’s recent move to reduce the
political power of multiculturalism. According to David Ley, following the 1996 elections, “Howard subsequently eliminated or curtailed multicultural programs, closing the Office of Multicultural Affairs, and proving so unfriendly to multicultural policy that the term was commonly referred to as the ‘M-word.’” In addition to the Australian case, Christian Joppke has described a significant retreat away from multiculturalism in Sweden and the Netherlands over the past twenty years. Britain (led by Trevor Phillips and fueled by the July 2005 attacks) is now also debating whether multiculturalism is a dividing force, and no longer useful.

Proving the reversibility of multiculturalism is not essential to the discourse, although it is an interesting question for later debate; what is key is the idea that the historically dominant social group believed that the policy was reversible at the time of its implementation, and this perception of an experimental root in Canadian multicultural policy impacts how it is handled even today. By adopting this approach, those who were dominant while instituting the policy were seen to continue in their dominance, retaining the right to effectively reclaim any previous title to national and social power. Subsequently, early multiculturalism appeared more as a move to ‘test’ a cultural and ethnic pluralistic reality in the nation, rather than as recognition of what Hage has termed “the multicultural real” and what Bannerji has called “multiculturalism from below.” Bannerji recollects, “We demanded some genuine reforms, some changes – some of us even demanded the end of racist capitalism – and instead we got ‘multiculturalism.’”

While the possible reversal of multiculturalism was something many politicians such as Munro and Bosa considered a significant loss to Canadian society, the reality that they believed the policy to be reversible conveys a lot about the political climate ethnically framed people faced, and their lack of central power in being able to direct their own inclusion. Uncovering the notion of multiculturalism as a political experiment rather than an unstoppable evolution is critical to understanding the underlying psychology of multiculturalism as it is enacted today. Recognizing that the early policy was approached as a testing ground for diversity management sheds light on contemporary approaches to multiculturalism. The government commitment to the policy
remains a relatively low fiscal priority, one highly vulnerable to changes in elected government. The precariousness of this situation has not been lost on politicians over the decades. As Kas Mazurek has observed,

If the government were to turn its back on the policy of multiculturalism, it would be perceived to be turning its back on its own past rhetoric and stated commitment to liberal pluralism. This, obviously, would invite public and political condemnation. However, to continue with the original mandate of the policy would be to risk the consequence of disrupting the always-delicate balance of power constituted by the competing interests reified in the status quo.316

Reading multiculturalism as potentially reversible at the time of the policy’s creation was extremely strategic, regardless of whether or not one believes it could be undone once started. The discourse of ‘multiculturalism as social experiment’ served two opposite and simultaneous purposes: it convinced many ethnically framed people that they were entering a new era of increased rights; yet the reversibility discourse served to quell any anxieties on behalf of the historically dominant group that the balance of power was actually shifting. Multiculturalism was depicted as a controlled national location, rather like a Petrie dish, where the experiment – a mixing space of rhetorically equal, vastly diverse ethnic bodies, cultures and cultural bodies – could simply be terminated if it went ‘horribly wrong’ as defined by the standards laid out by the historically dominant group. Multiculturalism was seen as an early foray into culturally pluralistic realms that could be abandoned at any point. The idea that equality in the multicultural format could be granted and then removed leaves no question about who was seen to hold the power, and who would continue to hold the power even in a theoretically ‘multicultural’ state.

This embedded psychology remains one of the most problematic aspects of the argument that multiculturalism was designed to bring about genuine equality. In some form or other, whether acted on or merely discussed, the discourse of reversible multiculturalism is present in the foundational philosophies of the policy in all Western countries that have implemented some form of multiculturalism. However, while a fundamental part of early Canadian debates, the possibility of reversal was significantly
mitigated (potentially even resolved) by the decision to write multiculturalism into the Canadian Charter of Rights and Freedoms, and the passing of the Canadian Multiculturalism Act, thereby removing the concept of the policy as a temporary measure from its foundational philosophy. Even today, media, critics and politicians still engage in the debate over eliminating the policy, but problematic as it is, multiculturalism’s inclusion in the Charter should be considered no small thing. As other Western nations who have held multicultural policies begin to exercise their “rights to reversal,” Canada has now made it almost impossible to retreat from the policy.

If reversible multiculturalism is a sign that power relations have not shifted away from the historically dominant group controlling the policy for its own best interests, the move to constitutionally entrench multiculturalism decidedly limits the strength of this unequal authority. Any reversal of the Canadian policy now would require strong support on all sides, from all ethnic groups and countless individuals, which demonstrates a significant (though still not perfect) shift towards the equal ownership and power sharing Yuzyk initially envisioned when he first drafted the policy almost forty years ago. In essence, by the very act of reversing the policy, European and Australian governments have demonstrated that their policies have indeed been powerless to address authority imbalances and disparities in civil rights between historically dominant and ethnically framed groups. However, in undoing the ability of historically dominant groups in Canada to reverse the policy without full national support, the fundamental commitment of the policy towards genuine power sharing is demonstrated. In assessing the balance of the scales between equality/rights and historically dominant agendas, the weight of reversible multiculturalism is heavy indeed.

4.3 Multiculturalism as a Preserver/Creator of National Identity

It is a source of pride for many Canadians that this country was the first to adopt official multiculturalism. As demonstrated by successive government reports on multiculturalism and by popular reputation, many believe Canada leads the world in its commitment to actualizing equality by embracing diversity. “Celebrate Diversity” is an
edict heard across the nation in public and private rhetoric – a philosophy that many Canadians pride themselves on upholding.

Consistent with many nations in the world, Canada has become heavily invested in creating a positive international image, one that encourages trade, migration and exchange. Multiculturalism facilitates this image, foregrounding Canada’s commitment to equality and diversity – both highly prized ‘global’ values. However, a positive image on its own is not enough to provide security against the challenges to national identity in a time when communities of thousands can relocate in a matter of weeks and a main street in Vancouver features the same shops as a street in Rome, New York or Delhi. In an age when what is popular is rapidly transmitted around the globe, the uniqueness of a national identity has become paramount to the survival of that identity. Multiculturalism stands out globally as one of the most (if not the most) unique aspects of Canadian society; the policy acts to provide Canada not only with a favourable international reputation, but also with one distinct from that of other nations.

The contemporary role of multiculturalism in distinguishing Canadian national identity was foreseen, and indeed specifically engineered at the time of the policy’s creation. While the increasing presence of diverse populations within Canada drove the multiculturalism debate, it was far from the only rationale for adopting the policy. Canadian identity was at the heart of the issue. As the Ministry for State Multiculturalism explained, multiculturalism was seen as an opportunity to develop a stronger Canadian identity, and was responsible for “play(ing) a significant part in creating a feeling of uniqueness of this nation.”317 In the publication Multiculturalism: What is it really about? the policy was justified by claiming, “Culturally, it broadens our perspectives and contributes to our distinctive Canadian identity. Internationally, it strengthens Canada’s reputation and influence in the world.”318 As an historic second cousin to America, and a previous British ward, Canada sought an identity that provided distinctiveness and increased international presence. Multiculturalism was the answer to both.
In reference to Canada and Australia, Joppke argues, "Multiculturalism provides a national self-understanding for former British colonies, which – in contrast to the United States – lack independent founding myths and which faced a void once a self-definition in terms of British heritage and subjectship was no longer viable." While helpful in some regard, Joppke's comments tend to minimize the difference between the two nations – Canada had a well-established English-French duality that provided strong self-definition. Upon close examination, multiculturalism's usefulness to Canada in terms of identity was likely less about filling a "void" as Joppke describes, and more about a young nation's effort to prove non-reliance.

In order to differentiate Canada from other Western nations, and more specifically the United States, multiculturalism provided a discourse that discounted other national social structures in subtle strategic ways and established new power dynamics in old relationships. One of the key aspects of early multiculturalism was its oppositional location to the assimilationist politics of other nations, and the United States in particular. This positioning was more than just an alternative method of coping with plurality; it also claimed a subtle but pervasive moral superiority. ‘Diversity is respected in Canada’ was the public discourse of multiculturalism; ‘unlike other countries’ was the quietly whispered implication that followed.

According to Howard Palmer, multiculturalism was in part justified in the early 1970s as a social philosophy because of its ability to secure for Canada a globally unique national identity, one distinct from the United States. In reference the original rationale for multiculturalism, Palmer cited the nationalistic desire to “distinguish Canada from the United States by asserting the existence of a Canadian ‘mosaic’ in opposition to the American melting pot.” In the same historical period, Professor Nathan Keyfitz argued,

In some matters it once looked as though the United States was ahead of Canada. If we were all marching on the road to assimilation, and the United States had developed further the techniques for assimilating its immigrants, then the United States was ahead of Canada on that road. But now the whole process is turned around; assimilation is no longer the obviously right thing; we are marching towards a polycultural goal... And
now that the procession has turned around, Canada is marching ahead of the United States.\textsuperscript{321}

Keyfitz's observations reveal several insights into the driving philosophies of the time. Firstly, a rivalry on behalf of the Canadians, or at the very least a consciousness about which nation appeared to be holding the upper hand, is easily observable. Secondly, the questioning of assimilation as the correct path to a socially just society is also evident. Thirdly, and perhaps most importantly for this discourse, it is clear that Keyfitz credits Canada's move towards multiculturalism as a clear indicator that Canada has taken the moral high-ground, pulling ahead on the quest to realize the most 'advanced' civilization.

Politicians with a good grasp of the rapidly globalizing world were well aware that Canada had a strong need for a distinct national identity. As the Cold War thawed, there was far more room in international relations for smaller Western countries such as Canada, Australia and France to play a more active role. As nuclear weapons and power-dominant nations fell from popularity, Canada saw a unique opportunity and moved towards it, using multiculturalism as a truce flag held in front of the nation. As Paul Schafer asks in the 1979 government publication \textit{Canada's International Cultural Relations},

\begin{quotation}
In the final analysis it all boils down to one question: How do we want other people in the world to see us? Do we want other people to see us as a nation preoccupied with material gain, anxious to exploit them at every opportunity? Or do we want other people to see us as a compassionate nation, full of creative imagination and concern for others, striving to make the world a better place in which to live?\textsuperscript{322}
\end{quotation}

Strongly rhetorical, there can be no doubt which answer is assumed to be the correct one. Despite the obvious problems of marketing Canada as a compassionate ideal internationally, given the historical time period, Canada achieved a rather remarkable thing: in an age of massive global power struggles between Communist and Western governments, between colonized and colonizer nations, Canada made a position of vulnerability fashionable. While maintaining Western alliances and military participation, through careful use of the multicultural policy, Canada convinced the world it was not
threatened by diversity, global change or 'foreigners'. Multiculturalism gave such a convincing international performance that in comparison to Canada other Western nations, which were colonizing and powerful, appeared xenophobic and bullying. And yet, multiculturalism was not a claim to neutrality; it allowed Canada to retain historical alliances and friendships – politically and militarily the best of both worlds.

At the time of the policy’s creation, multiculturalism was arguably Canada’s foremost way of competing in the global arena, staking moral high ground in order to supersede other potential models of globalization. Unable to compete for the pinnacle position of global prominence historically, technologically, economically, in terms of population, labour power or mass-market influence, Canada opted to compete in the field of ethics. Multiculturalism was depicted as a vehicle providing Canadians with a unique international identity, and a location where the nation could be viewed as the forerunner in a specific arena. Canada by no means claimed to have a monopoly on global morality; however, multiculturalism distinguished Canada as a leader in successful models of citizenship and diversity.

Not without its downside, this strong international reputation has since allowed Canada to keep many of its internal inequalities hidden from public view. Among numerous examples, this is evidenced by Canada’s history of oppression towards Aboriginal Peoples in residential schools during the same time period that multiculturalism was being hailed internationally as a sign of Canada’s leadership in social justice.

In addition to the problem of optics, there is also the matter of what “Canadian” identity actually means. Recent independently conducted interview-based research by Gillian Creese, Minelle Mahtani and Geraldine Pratt all shows that ethnically framed Canadians find the term “Canadian” to be a bordered one that permits only partial access to citizens of colour. In each of their respective projects, the researchers found high levels of discomfort amongst interviewees when asked if they saw themselves represented in contemporary perceptions of “Canadian” identity. Creese’s research was
with women from Sub-Saharan Africa; Mahtani’s was with mixed race women; and Pratt’s was with Filipino youth. The diversity of the projects indicates that this is not an isolated finding. Even more problematic is the consistent finding that women, seniors and youth are particularly excluded from the nation, indicating the intersectionality of discrimination across the Canadian system. This indicates that the rationale of “multiculturalism as a means of securing national identity” is potentially highly gendered, and may prove to be particularly harmful to accurately representing the challenges of inclusion women face.

When asked about their relationship to multiculturalism, interviewees in all three cases located a sense of discomfort with the policy, and indicated that they felt they were being asked to perform their ethnicity, or that the policy emphasized their ethnicity in a way that forced a hyphenated Canadian identity whether they wanted it or not. Reflecting on his own personal experiences, multiculturalism critic Neil Bissoondath has claimed that the policy is fatally flawed because it forces people of colour to continually represent their ethnicity to the historically dominant group. Mahtani provides a more nuanced understanding of this, critiquing multicultural policy for its treatment of ethnicity as a static and clearly identifiable category. She contends that multiculturalism fails in part in its attempts to forward the interests of diverse communities and individuals because of the policy’s inability to be adaptive to recognizing ethnicity in individual rather than group dynamics.

Judging from the amount of evidence available on the alienating effects of a multicultural framework on ethnically framed identities, particularly in relation to gender concerns, there is clearly a serious issue to consider. The question is: what is causing this sense of alienation, and is it fundamentally part of multiculturalism?

In order to answer this, one must look beyond multicultural nations to see whether or not similar research results and arguments can be found in Western countries that have never implemented multicultural policy. There is ample evidence of similar feelings of isolation and exclusion from a national identity for ethnically framed people in other
major Western nations, regardless of the presence or absence of state-sponsored multiculturalism. If anything, these concerns appear less severe in Canada, particularly in a post-911 context, although this should not be taken to mean that Canada has eliminated these concerns. Considering the pervasiveness of identity concerns around nationalism, ethnicity and inclusion, it is far more likely that underlying systemic racism in these Western countries is the cause of the problem, rather than state-sponsored multiculturalism alone.

But what then of Bissoondath’s specific claim that multiculturalism requires a performance of ethnicity that harms the integration attempts of ethnically framed people? Here Bissoondath is not wrong; however, nor is he entirely right. An advanced understanding of multiculturalism must allow for multiple contributing factors to the policy and therefore a multiplicity of results, many of which contradict each other. Aspects of multiculturalism that reflect the embedded interests of the historically dominant group (manifesting as systemic racism present in many aspects of Canadian governance and policy) clearly create the type of racialized isolation identified by Bissoondath and appearing in the research results of Creese, Pratt and Mahtani. However, just as there is evidence to show that multiculturalism can create race-based isolation, it can also successfully create a feeling of belonging. Daniel Hiebert’s work on the Vancouver Community Studies Survey\textsuperscript{329} shows that the majority of immigrants surveyed felt that they belonged in Canada, and that there was widespread support for multiculturalism amongst all respondents. Significantly, the numbers were higher for European immigrants than ethnically framed immigrants. These results are consistent with the theory that multiculturalism is the product of both agendas serving historically dominant communities and equality-based agendas; the vast majority of the policy is considered to favourably benefit respondents of historically dominant groups, while only part of the policy can be seen to benefit those of other ethnic groups.

In terms of providing a motivating rationale for multiculturalism, the establishment of a distinct Canadian identity is clearly a powerful justification. While it is clear that this result was firmly in the minds of those advocating for the policy’s
implementation, exactly what constitutes a "Canadian" identity remains a problem. Multiculturalism invites a plurality to this definition that is denied in American and French equivalents; however, it remains to be seen if this plurality leads to increased access to a national identity for all people regardless of race. Research results at this stage are mixed, indicating lingering racism in the Canadian system, and in the multicultural policy itself, but also some hope that multiculturalism has the potential to mature into a more advanced system of equality. Currently, "Canadian" identity remains a contested arena, where multiculturalism plays both sides. This indicates that there is still work to be done on the foundational philosophies of multiculturalism that are directly involved in producing and reflecting national identity.

Weighing this aspect of the policy against the multiculturalisms of other Western nations, there are complexities that prevent easy comparison. Firstly, if Joppke and Morawska are right in arguing that multiculturalism provided the settler nations (Canada and Australia) with identities that were distinct from their colonial mentor nations, is there any rationale for Britain and the Netherlands to use multiculturalism to foster a sense of identity? Perhaps these two nations, both of which had engaged heavily in colonial expansion, became invested in overhauling their images and sought multiculturalism as a means of mitigating the responsibilities of a colonial past. This is purely speculation. However, what is not speculative is the fact that multiculturalism was identified as a means of building a Canadian national identity based on plurality. In terms of this rationale, multiculturalism appears to have had both positive and negative effects in attempts to achieve social equality. This demonstrates that those aspects of multiculturalism that serve the agendas of historically dominant groups are not always clearly mutually exclusive to those that promote equality and human rights. Indeed, the hardest areas of racism to locate and reform are those that are capable of promoting dual agendas at the same time.
4.4 Multiculturalism as a Global Social Blueprint

The idea that multiculturalism could secure a superior national reputation for Canada ties in closely with next aspect of multiculturalism to be discussed, where Western-generated models of cultural plurality are envisioned as blueprints not only for the nation’s future, but also for the rest of the world. Given the West’s longstanding historical tendency to assume that anything practiced ‘at home’ is worth exporting – namely imperialism, militarism, colonialism, capitalism, democracy and MacDonald’s – it is no wonder Canada felt compelled to get in line with its own version of a globalized future society.

In 1976, John Munro extolled the uniqueness of Canada’s approach to inclusion of its diverse population, saying, “Multiculturalism is a rare government policy in a world in which ethnic divisions are often pronounced.” Although there was criticism for the policy, those in favour expressed the sense that Canada was embarking on something that would be not only unique in the world, but also a model of equality for other nations to follow. They were not wrong – in 1973 Australia followed Canada’s example, implementing a multicultural policy of its own. The Honourable A.J. Grassby, an Australian official responsible for immigration, stated on behalf of his government, “I would like to acknowledge the debt that we have to the announcement made by your prime minister in 1971, and adopted by the Canadian people. I am pleased to say that your example gave us inspiration and we are still following in your footsteps.” Although (as discussed above) Australia under the Howard administration has since abandoned those “footsteps,” at the time, the Australian move to emulate Canada’s example was a ringing endorsement. Since 1971, multiculturalism has become a global buzzword, and many Western nations now have some policy, in varying degrees of scope, pertaining to multicultural ideals. The apparent success of Canadian multiculturalism led British writer Dr. Barbara Ward to declare Canada “the world’s first international nation.” Regardless of the problematics of this type of gushingly enthusiastic statement, there can be no doubt that Canada had ‘chosen a winner’ in terms
of positive global notoriety. The land of Mounties, ice and snow had now also become the land of racial tolerance and cultural diversity. Despite the obvious inaccuracies in this assessment, it was (and remains) a highly successful endeavour in national marketing.

In 1976, American Michael Novak framed the future of global plurality in the following way: "The only human hope of liberty on this planet is that there be differences and diversity. But how will this be done? What social, political, and economic motto will allow diversity to thrive on this planet?" Adamantly opposed to the "homogenization" of the world, or what he termed "a whole planet of Campbell's soup," Novak nevertheless was prepared to answer his own questions in a way that highlighted North American dominance in the future of global plurality. Following his description of multiculturalism (which he did not differentiate for the U.S. and Canada) as an experiment, Novak stated, "We are... trying to live out in advance for the rest of the world a way in which multicultural differences and diversity can be lived humanely and civilly and democratically. If we cannot do it here, how would it be done elsewhere." Novak's final summary is phrased as a statement rather than a question, leaving no doubt as to the certainty of his conclusions.

Although a critic of Canadian multiculturalism in some regards, Kas Mazurek expressed similar sentiments to Novak in 1992, when asked to reflect on what the policy had meant in its first twenty years.

It is my opinion that the inauguration of multiculturalism as official state policy in 1971 represents one of the most elevating and enlightened moments in Canadian history. Canadians should be proud that, while today much of the rest of the world is caught up in racial and ethnic conflicts, we have nurtured and allowed to evolve over two decades a formal social policy that actively promotes intercultural harmony and ethnic/racial equality. The result is that, in the international community, Canada is looked to as a model nation of tolerance and respect for minority groups.

The idea that multiculturalism would make Canada a model for the world did not die out as the policy expanded (as the notion of reversible multiculturalism has done) but
Instead grew in popularity in government documents and popular media. In the 1992/1993 Annual Report on the Operation of the Canadian Multiculturalism Act, the Honourable Sheila Finestone claimed,

Canada’s multicultural policy is an eloquent testimony to our commitment to upholding the value of diversity, as well as setting as example for our neighbours throughout the world... Today, more than at any other time, nations around the globe turn to us for guidance in times of strife. Daily reports of civic unrest, political oppression, and even street warfare underscore the fact that these societies desperately need a role model upon which they can base their hope for the future.339

Clearly Finestone envisioned Canada’s global function in the early 1990s as a sort of guiding light for the lost nations of the world who, overcome by the chaos and violence of their own social structures, would strive to emulate a Canadian way of life. The nations she describes in such a way remain conveniently unnamed, providing a dark phantasmic backdrop against which Canada’s high moral values and social order appear with utopian clarity. While it is true that Canada’s social stability and peace are worth celebrating, the level of international dependence on the Canadian model Finestone highlights reveals more about Canada’s perception of itself in the world than it does about the ways in which the world views Canada.

The notion of multiculturalism as a blueprint for a globalizing future functions in several ways. It not only provides a source of pride for Canadians, which Finestone and other politicians attempt to capitalize on, but it also creates the perception of a nation that has solved many if not all of its internal ethno-racial conflicts. Herein lies the complexity of competing agendas internally embedded in multiculturalism. While it is entirely consistent with a rights-based multiculturalism to celebrate a peaceful society, it becomes problematic when that celebration eclipses the capacity to be self-critical as a nation. Only in pursuing the sort of critical reflexivity seen in the Aboriginal and progressive critiques of multiculturalism can the underlying racialized systems of the policy be understood and reformed. As Rosemary Brown warned when the policy was implemented, “multiculturalism must not be a way of avoiding the basic social issues of...
an advanced class society. It must not blind us to the reality of a society in which some people, many of them immigrants, are exploited in the name of profit. Finestone’s comments are a prime illustration of exactly these concerns. A nation that believes itself to be morally and socially so far beyond the rest of the world cannot hope to avoid ignoring or downplaying inequalities within its own borders. Additionally, this attitude compromises interactions with other nations on the grounds of equal respect. There is a strong likelihood, given the history of the 19th and 20th centuries, that the unnamed nations Finestone refers to face situations of severe social distress due to Western colonization. The attempt to position multiculturalism as a blueprint for the rest of the world to aspire to places at risk, both at home and away, those who are the most vulnerable to exploitation.

Viewing multiculturalism as a blueprint for other nations to follow as global migration increases is not, in itself, negative. However, like most things, the critical difficulty lies in how it is approached. If Canada develops a system of social interaction that other nations of the world desire to emulate of their own volition, then that is potentially a good thing, or at least cannot be automatically read as a bad thing. However, if the agenda to promote Canadian multiculturalism leads to the claim that it is a fully realized ideal of equality, or that it is the only model for positive global diversity, the capacity for improving on areas where the policy is failing in its aims is greatly restricted.

Canadian multiculturalism initially manifested as what Kobayashi has described as symbolic or “red shoes multiculturalism,” a policy focused on cultural shows, songs and dances that gave the appearance of inclusion without solid social change. There was tremendous utility in a policy that improved the nation’s reputation without compelling it to make significant social improvements in power relationships with Aboriginal Peoples or ethnically framed groups. The usefulness of this exercise in successful national marketing can hardly have been lost on politicians of the period, and it remains an ongoing challenge for Canadians today.
Chapter 4: Rationales for Multiculturalism

4.5 Multiculturalism as Diversity Management and Border Control

One of the difficulties of multiculturalism is the ubiquity of the term, inviting myriad interpretations, not all of which are correct. The following rationale for multiculturalism is not an embedded rationale in the policy itself, but rather a co-opted one, reflecting the public opinion of historically dominant groups legitimated through the media. Of all the rationales presented in this paper, this is the only one that does not come from some form of government-directed or government-sanctioned policy decision. However, just because it doesn't emerge from official engagement with the policy does not mean that the rhetoric of the following rationale is not a powerful ingredient in public discourse (despite any lack of official authority). It has been included to demonstrate what can occur when the public perception of multiculturalism encounters the live body of the policy in action.

With the 1967 changes to the Canadian Immigration Act, the historically dominant groups in Canada gave up their primary means of restricting and controlling the racial balance of the nation's population. Considering its commitments to the United Nations in the early 1960s to end racial discrimination, Canada could hardly continue to implement overtly racist immigration policies. (However, as Sedef Arat-koc and others have argued, more subtle forms of embedded racism continue to exist in Canada's immigration system even today.)

The move to make immigration in Canada racially non-discriminatory led to a reemergence of one of Europe's oldest racist fears, a fear now exported to its colonies - that of the "yellow hordes" of Asia, which could overpower, by sheer force of numbers, the historically dominant culture of any other country.

When it was initially conceptualized in the early 1970s, multiculturalism was positioned to play a key role in cultural "flood" control. Although immigration regulations controlled numbers, multiculturalism was well positioned to mediate content;
it was capable of functioning as a strategy for managing diversity in a way that would not overwhelm what historically dominant groups considered "the Canadian way of life." Multiculturalism, with its emphasis on plurality and equal sharing, had the potential to discourage the dominance of any one group (other than the originally dominant Anglo-Canadian and French-Canadian groups) by insisting on each culture playing a partial, but non-controlling role in Canadian society.

Unlike other rationales such as experimenting with diversity or establishing Canadian identity, it is extremely difficult to claim that this aspect of multiculturalism was an overt justification for implementing the policy. However, since the time of the policy's introduction, multiculturalism has enabled a paradoxical discourse of encouraging diversity with "the right mix;" i.e., cultural plurality is depicted as a benefit to Canada as long as no one group begins to be "too" dominant. This rhetoric usually targets major immigrant groups from Asia (specifically those from India and China) in Western Canada, and Black (African and American) and Asian immigrants in Central and Eastern Canada.

With rapid demographic changes in many Canadian urban centers, conflicts over dominant cultural practices have emerged. David Ley writes about how the increased migration of Chinese into Vancouver resulted in backlash from the historically dominant group over house purchases and home renovations in previously predominantly Euro-Canadian neighbourhoods. Although Ley finds multiculturalism to be a useful tool in resolving this dispute, which it undoubtedly was in bringing a compromise that valued both sides, the media at the time also mobilized multiculturalism to argue against "too many" Chinese. The policy is complexly implicated in this instance: on the one hand, it directs decision makers to value the voice of a Chinese-Canadian homeowner the same as an Anglo-Canadian homeowner, thereby limiting any disproportionate authority on behalf of historically dominant groups; on the other hand, popular (and perhaps inaccurate) appeals to the policy on behalf of the historically dominant community reprimanded the state for permitting (what they considered) a Chinese cultural monopoly to develop in a pluralistic environment. The historically dominant group was able to
employ multiculturalism in the media as a rhetorical rational for excluding those from a single cultural group who were entering in numbers sufficient enough to make changes to the cultural geography present in a multicultural society. While arguably against the very spirit of multiculturalism as an equality-fostering policy, this rationale proved disturbingly easy to make.

Significantly, the rhetoric of preventing “too many from one group” is not a language present in the policy, nor in supporting government documents. In this sense, it is far from being a rationale for multiculturalism at a state level. This is an important distinction in assessing Canadian multiculturalism. This rhetoric belongs only to media and popular discourse (and potentially to the odd politician who does not speak on behalf of the party), and as Ley has shown, holds effectively no legal or moral purchase with government authorities mediating disputes between groups. The idea of multiculturalism as diversity management or as a breakwater, permitting only a certain percentage of people from any one ethnic community, is therefore a questionable reading of the policy in Canada. If anything, Ley’s work on this idea demonstrates that when competing applications of multicultural policy arise, preference in contemporary Canada is being given to those agendas that serve equality rights versus those that disproportionately serve the historically dominant group. This appears to be the case increasingly in government decisions, although not in media and popular depictions.

While the policy itself may not sanction this rationale, scholars have argued that the government does not go far enough in ensuring that multiculturalism is well understood. In 2001, Minelle Mahtani and Kevin Dunn conducted research into media representations of ethnically framed people in Canadian and Australian media.345 In both cases they found widespread racism, produced through deliberate misrepresentation of evidence, inflammatory, non-factual statements, and persistent under-representation of ethnically framed people. A year later, Mahtani conducted further research into the Canadian media with Alison Mountz, with similar findings.346 In the conclusion of this second study, Mahtani and Mountz provide an extensive list of policy recommendations to government on being more active in combating racism in the media. They found that
although media repeatedly misrepresented events or created inflammatory situations from relatively minor incidents, the power of the media was so strong that there was little or no backlash against creating such stereotypes. The authors found that multiculturalism was one of the only things that had positively impacted the situation, providing alternative readings of events. They encouraged government to make greater use of multiculturalism to continue this trend. Based on Mahtani and Mountz’s finding, multiculturalism can be understood to oppose racism in the media, but to have limited authority and capacity to make change. Ultimately, Mahtani and Mountz found that government had the tools necessary to combat racism in the media, but it needed the drive to employ them. This indicates that multiculturalism may be ineffective in reducing inequality not because it is inherently flawed, but because it is not used widely enough. However, there is hope for the future here in that multiculturalism has grown increasingly conscious of the media’s role, and of the need to maintain involvement in mediating the messages through strategic anti-racism measures. The most “left-wing” recommendations from the 1978 Canadian Conference on Multiculturalism now appear as central, accepted and funded strategies in the 2006 multiculturalism program priorities.

While the argument for diversity management and getting “the right mix” does not appear to hold much sway in contemporary Canadian government applications of the policy (despite media rhetoric) this is not necessarily the case in the multiculturalisms practiced by other Western nations.

In the context of Australian multiculturalism, Ghassan Hage has argued that the multicultural containment of diverse populations is more than just a knee jerk reaction to the increased migration of the post war period. Hage’s work involves both document research and interviews, and provides great (and cutting) insight into Australian multiculturalism. Exploring the role of multiculturalism in maintaining Anglo-Celtic dominance in Australia, Hage finds that multiculturalism positions members of the current dominant Anglo-Celtic group as “a national subject imagining themselves capable of exercising their will within the nation.” This political will is employed in the management and containment of ethnic bodies, which are framed as “a national object
perceived as an object of value, only capable of submitting to the will of the national subject.\footnote{350} Although the object/subject dichotomy may prove overly simplistic for Canada (where many who work in Immigration and Heritage positions are from diverse ethnic backgrounds and subsequently write their own inclusion through policy) the idea of an active national subject and passive national object is particularly useful here. At what point does an immigrant acquire enough cultural and national capital to become a national manager – to engage in the restriction/facilitation of other immigrants at the level of decision maker instead of sponsorship applicant?

Hage engages with the metaphor of Australian multiculturalism as a stew, with an Anglo-Celtic chef carefully adding and monitoring the mix, ensuring that no one flavour becomes dominant over the others, and no one adage disrupts the position of the Anglo-Celtic influence as the central director of the product.\footnote{351} His critique of the policy has been vindicated by the political actions of both the government and the voters in recent years. Prominent and popular conservative Australian politicians Pauline Hanson and John Howard have both voiced strong anti-Asian sentiments in the past two decades, on the grounds that too many Asians would overwhelm and compromise “Australian” identity.\footnote{352} This perspective, along with a more general anti-immigration movement, received political support through Australian elections. As Hiebert, Spoonley and Collins relate, no such support has been found in the Canadian system, nor has any politician been so bold as to voice the obviously anti-Asian sentiments both Howard and Hanson offered.\footnote{353} The “right mix” argument appears to hold far more water in administering Australian multiculturalism than it does in Canadian policy.

In summary, multiculturalism has the potential to respond to the pressures of open borders and (theoretically) de-racialized immigration systems by creating a gateway that is simultaneously open and closed. Canada can claim to have some of the most open borders in the world by pointing to its “neutral” points system and multicultural society. However, by highlighting Canadian multiculturalism as a rare commodity, one worthy of significant protection, it is rhetorically possible for the dominant group to employ the policy to restrict the absorption of new immigrants at an unchecked rate. This makes it
possible (though not with the policy's support) for historically dominant groups to argue that the multicultural community, for the sake of its own preservation, must limit the number of newcomers from a specific group who might overwhelm, and therefore restrict the right to cultural presence of other ethnic communities. Such co-option can dangerously compromise the policy, and should therefore be rigorously guarded against.

Fortunately, as David Ley\textsuperscript{354} has shown, in the battle between employing multiculturalism to restrict the influence of "too many" immigrants from one cultural group, and employing multiculturalism to facilitate equal access to conflict resolution, the latter appears to be winning out. However, although it may have little legal and policy weight, it is vital to not underestimate the mobilization of multiculturalism to serve the agendas of historically dominant groups in the name of preserving cultural balance and restricting the unchecked growth of diversity. Such rhetoric circulates widely in popular media, fostering old phobias and working against anti-racism initiatives. Although it may be read as an unintended cooption of the policy, until a far greater percentage of Canadians are adequately educated about the contemporary goals of the policy and how it has evolved over the years, multiculturalism will likely be used, however inaccurately, as a rationale for both sides of the argument about what "appropriate" diversity means. There is confusion here where there should not be, and it is harmful to the equality and inclusion multiculturalism is designed to promote. People need to become familiar with the foundational philosophies of multiculturalism, or more to the point, governments need to take a more active role in educating the public about the policy.\textsuperscript{355} This remains an area of Canadian multiculturalism where the actions of the policy weigh in on the side of promoting equality, and the rhetoric in popular media weighs in oppositely. Therefore, in order to address this issue, it is not enough for the policy to simply uphold its declared values; it must also act to educate Canadians about those values, and to actively combat wrongful co-options of the policy's use in media and popular discourse.
4.6 Marketing Multiculturalism, Multiculturalism as Marketing

Not all rationales for multiculturalism have been strongly evident at the same time. Some, such as the arguments for furthering equality, strengthening Canadian identity and testing out the policy were in the foreground of justifying multiculturalism when it was first introduced. However, by the tenth anniversary of the Canadian policy, new interests and applications for multiculturalism began to emerge. This was reflected in the shifting priorities of government representatives who championed the policy. New topics began to make their way into government multicultural discourses in force, such as Advertising and Visible Minorities, Big Business and Minority Employment and Multiculturalism: Corporate Experiences in the Marketplace. At the 1981 Fourth Canadian Conference on Multiculturalism, notably titled Opportunities for the Future, the entire structure of the program had been re-organized in order to introduce and foreground a panel on Multiculturalism in the Marketplace. In this plenary session, leaders from large corporations such as cigarette company Benson and Hedges, Imperial Oil and the Royal Bank, were asked to speak about multiculturalism’s usefulness in an increasingly global world. As Yasmeen Abu-Laban has argued, successive Canadian governments, both Liberal and Conservative, attempted to increase the popularity of multiculturalism by highlighting the economic advantages it brought to the country.

Multiculturalism in the 1980s was heralded as good for Canadians because it was good for the bottom line. In a panel presentation entitled Multiculturalism: Who’s For It? Minister for Multiculturalism James Fleming stated:

The new global economy calls for a new type of corporate employee, someone with experience adjusting to culture shock... The new mercantilism also calls for a new type of corporate manager, a flexible cosmopolite aware of cultural sensitivities, someone who can run the obstacle course of foreign customs, who can cut costs and waste by knowing how culture affects behaviour, who can motivate workers with differing standards...

Although these are the comments of only one minister, they reflect sentiments expressed pervasively in government documents of the period. Additionally, the Minister was a
representative voice of the government, giving weight to his perspective. In these comments, it is clear that the concept of culture takes on significant value-laden qualities. It is perceived as something highly emotional and strange "affecting the behaviour" of 'the other.' It is approached as something that requires careful handling, an unpredictable force that a globalized economy will put in contact with assumedly Anglo-European Canadian employees and corporations. There is little emphasis on international exchange or knowledge growth; culture is depicted as a rogue element in business, one that can be appropriately identified and productively managed using the resources of a multicultural community. When read in this way, it is clear that the norms of the historically dominant group, i.e., coming from those in majority control of government and business in Canada, are being applied to judge cultural practice, and multiculturalism is being mobilized in order to assist historically dominant groups to succeed in understanding and managing culture as a business opportunity.

A marked shift can be seen from first decade discourses of Canadian multiculturalism (we should support it because equality is good for the nation) to the second decade (we should support it because it is good for Canadian businesses), as evidenced by both government documents and shifting policy language from the period. Although both first and second decade multiculturalisms contain elements of ethical and economically driven foundational philosophies in varying degrees of conflict with each other, the way multiculturalism was sold to the public changed significantly between the 1970s and 1980s. This can be in part explained by a political shift from a Liberal administration to a Conservative administration in 1984 elections, but even prior to this, it is clear that economic pressure on the Liberal cabinet created a push to utilize multiculturalism in a way that was more satisfactory to right wing voters. Following the 1979 Liberal loss of the federal election to Joe Clark’s Conservatives in a minority lead, and the subsequent 1980 Liberal victory and return to power, the Liberals in the early 1980s endeavoured to illustrate how their policies could make sense to potential Conservative voters. The period when multiculturalism was primarily seen as a business opportunity encompassed the entire decade of the 1980s and includes one Liberal and two Conservative terms, from 1980 to 1992. Although progressive steps were made when
the Canadian Multiculturalism Act was passed in 1988, the effects of this change were not strongly evident until the mid 1990s, when the actual application of the policy began to employ the potential for equality rights contained in the Act.

In the 1990s, following the return of a Liberal administration with a strong enough voter base not to overtly cater to more right-leaning Canadians (as the had done in 1981), the government focus on multiculturalism shifted again, this time away from foregrounding the policy as a financial benefit to the nation. While the language of economic advantage in a globalizing world has always been easily identified somewhere in discourses surrounding the policy, this rationale came to the foreground in the early 1980s, and passed out of prominence after the defeat of the Conservative government in 1993. Even today it remains visible, particularly in Western provincial applications of the policy, but is no longer considered a driving motivation behind Canada maintaining a multicultural policy (although the same cannot be said of the multicultural policies of certain provinces, including British Columbia). In the years following the re-election of the Liberal government, multicultural policy in Canada began to revisit and reflect many of the recommendations presented in the 1978 Third Canadian Conference on Multiculturalism regarding anti-racism and equal participation in society and the labour market. This does not mean to suggest that the Conservatives were unaware or inactive in forwarding equality — their government put forward changes to include multiculturalism as a parliamentary act. However, in terms of the broad array of applicable rationales for multiculturalism, the Conservative administration prioritized economic justifications for the policy over other possibilities. Additionally, many of the other progressive principles that come into force during this era, such as the Employment Equity Act of 1986, reflected international UN commitments, and occurred across all Western nations in a relatively close time period. Again, significant improvements utilizing the full equality rights potential of the Employment Equity Act did not come into force until the mid 1990s.

The economic rationale is difficult to reconcile with the foundational philosophy of multiculturalism to further equality and belonging, as stated by Trudeau in the original
policy in 1971. In theory, given the idea that multiculturalism would employ the cultural
diversity of its citizens to increase the nation's business opportunities, one would think
that this targeted use of the policy would create job growth for ethnically framed people.
This would indeed be consistent with the policy's stated original aims. However, while it
cannot be said that no ethnically framed citizens benefited directly, this policy seems to
be far more profitable for big business and government than individuals, given the
ongoing struggles ethnically framed people had in the labour market during this time. Beyond the rhetoric of economic opportunity, a startling disparity in wage and
employment rates persists between those who are considered to be from an ethnically
framed group and those of the historically dominant community. Multiculturalism, it
seems, may benefit corporate business opportunities without forwarding the financial
interests of ethnically framed people in any significant way.

Recent research released by Krishna Pendakur shows significant disparity in
labour market participation between people from ethnically framed and historically
dominant groups. Reviewing a number of studies on employment and wage rates
including data collected from Statistics Canada, Pendakur finds:

(1) Visible minority status does seem correlated with earnings; (2) some of
the correlation can be explained away by individual characteristics such as
education or labour market choices such as hours of work, but there is a
large residual differential left standing on the shoulders of ethnicity; and
(3) these differentials in earnings are persistent in the sense that they do
not dissipate with age or over the decades.

While Pendakur's research speaks broadly about labour market gaps that exist
between ethnically framed and historically dominant groups, Hiebert and Creese
each contribute research that indicates this gap is even wider when gender is considered.
In fact, in a survey of over thirty Metropolis Project working papers submitted over the
past decade on labour market participation, economic situation and ethnicity of
immigrant groups, all authors found that "ethnicity" negatively correlated with labour
market performance, resulting from a variety of factors from unrecognized education
credentials and work experience to discrimination based on accent. In all research where
gender was considered, women fared worse than men in closing the labour market gap, which researchers attribute to the dual obstacles of systemic gender and racial norms, and the additional family duties many women are expected to bear. This indicates an immense challenge to Canadian multiculturalism, the seriousness of which cannot be overstated.

Colin Mooers, basing his critique largely on the arguments of Himani Bannerji, contends that multiculturalism actually acts to enable a highly racialized system of capitalism that positions ethnically framed people as invisible labour. According to Mooers, there are “plenty of reasons to be wary of state-sponsored forms of multiculturalisms.” Top of Mooers’ list is multiculturalism’s engagement with easy commodification and relationships of difference. Mooers contends, “The reified forms of ethnicity and ‘difference,’ which are the staple of multicultural discourse and practice, are, in fact, entirely congruent with the fetishistic social forms abundant in contemporary capitalism.” In Mooers’ view, multiculturalism is primarily “an attempt to manage the migration of labour in advanced capitalist societies and only secondarily as a response to calls for greater recognition of diversity.”

While there may be some truth to this claim, once again it is important to distinguish different types of multiculturalism in play. Given that racialized systems of labour are found throughout all Westernized capitalist economies, it is difficult to argue that multiculturalism is promoting something that would not otherwise be capable of promoting itself. As shown above, multiculturalism is clearly capable of taking advantage of culture as a business opportunity. The question is, can multiculturalism produce equality-positive labour market results, or is it merely a passive tool for corporations and governments when applied in the field of economics?

Complicating efforts to understand multiculturalism’s engagement with employment equity and business is the recurring problem of jurisdictional influence under a system of federalism. Many people in Canada are covered by provincial rather than federal employment policies, which vary significantly in their commitments to
equity. Given the ongoing gaps identified by the authors cited above, there is clearly still a long way to go. However, at national level, only Canada has an employment equity policy\textsuperscript{371} that directs the government to maintain a public service staff that is "representative of Canada's diversity."\textsuperscript{372} Accordingly,

Under Part I of the \textit{Employment Equity Act} (EEA), employers, including the federal public service, must determine the degree of under-representation of employment equity (EE) groups and implement plans to promote employment equity.

Four EE groups have been designated under the EEA: members of visible minority groups; aboriginal peoples; persons with disabilities; and women.

Targeting recruitment efforts towards one or more of these groups gives departments a better chance of closing representation gaps and developing a workplace that better reflects the diversity of Canadian society.\textsuperscript{373}

(Unfortunately, as evidenced by the research of Audrey Kobayashi\textsuperscript{374} and Abu-Laban & Gabriel, employment equity is a key location where the foundational philosophies of the policy are not matched by success in implementation. This illuminates the importance of foundational philosophies to contain the authority not only to implement strategies, but also to enforce them.)

While the Employment Equity Act is not directly part of the Canadian Multiculturalism Act, the language and emphasis is consistent between the two. Ironically, it is not the corporate rationale for multiculturalism that connects to this policy, but an anti-racist commitment to employment equity based on human rights. It must be understood that economic rationales for the policy (multiculturalism as a global corporate advantage) do not require anti-racist aspects of the policy to be in place. Significantly, the type of racialized capitalist multiculturalism Mooers and Bannerji refer to could be read as consistent with rationalizing the policy as a corporate advantage in a manner that does not foundationally benefit people of ethnically framed groups. It is also an application of the policy that once introduced and encouraged by government, can no longer be taken back from the corporate world. Arguably, even though the Canadian government no longer emphasizes economic advantage as a primary benefit of
multiculturalism, there is no way it can control private sector use of the idea. As with the use of multiculturalism as diversity management, one of the many challenges with the policy is the way it is used by society in general above and beyond its legal and government-directed boundaries. Therefore, things that are often attributed to multiculturalism belong to the concept in its broadest social sense, and are not directly connected to or supported by the policy itself.

Rationalizing multiculturalism to forward capitalist business ventures is not unique to Canada. Australia has also utilized this rhetoric. However, while Canadian multiculturalism identified business opportunities as a driving force in the 1980s and then moved on in later decades to emphasize and support other areas of multicultural potential such as anti-racism and labour equity, Australia substantially expanded business opportunities as a guiding rationale for its policy in 1999. The inconsistent timelines of this trend are important in comparing multicultural policies across Western nations. It indicates that although Canadian multiculturalism was identified as a prime business opportunity in the 1980s, this rationale for the policy did not remain central to its raison d'etre for very long. Canada can be seen to have worked through this stage of multiculturalism and has moved on to commit its energies towards anti-racism and employment equity (however imperfect they remain in implementation) as driving theoretical forces in the policy. Australia, on the other hand, appears to have newly entered into its engagement with business as a primary justification for multiculturalism.

According to Hiebert, Spoonley and Collins, Australian multicultural policy underwent a policy overhaul in 1999, as a result of political pressure on the Howard government by the far-right leaning One Nation Party. The One Nation Party, led by Pauline Hanson, advocated for a reduction in immigration, specifically Asian immigration, and claimed Australian multiculturalism was creating a divisive plurality that negatively impacted Australian culture. Hage critiques Pauline Hanson's vision as a pro-white attempt to retain control over all aspects of Australian public life – a fair assessment given that this was pretty much the mandate the One Nation Party lobbied under. Although the party was not elected to a majority government, they attracted
substantial voter and media support. This is ironic given that similar sentiments expressed by Howard in 1988 caused him to be “vilified” in the media. General public sentiment at the time did not support this openly anti-Asian stance; however, a decade later in the mid 1990s, the climate was very different. As Hiebert et al relate, “In response to the popularity of One Nation, and also widespread misgivings about immigration and multiculturalism revealed in opinion polls, the coalition government established the National Multiculturalism Advisory Council in 1997, which was to review multicultural policy.”

According the Australian government’s public declaration of the Council’s mandate, the Advisory Council was intended to provide recommendations on ways that multiculturalism could better ensure integration and cohesion across Australian society, or as Hiebert et al describe, to “ensur(e) that cultural diversity was a unifying force in Australia.” Given the Advisory Council’s mandate, the results are somewhat surprising. Hiebert et al relate that Howard’s response to the Council’s recommendations was to foreground multiculturalism as an economic advantage, emphasizing “productive diversity and the diversity dividend.” Rather than responding to the problem of what it was about multiculturalism that had compromised national unity and cohesive social harmony, Howard directed the attention of the nation, and the future of the policy, towards the best way to benefit Australian economic and business interests. This direction effectively jettisoned a wave of equality measures proposed in 1995, which were ready for implementation in favour of a business agenda (in combination with a more assimilationist approach to the policy in general).

In Australia, a review of multiculturalism’s failure to deliver on its promise of social equality and national cohesion resulted in justifications to retain the policy because it was financially beneficial to corporate and government economic interests. This choice is significant. Given the opportunity to weigh and reform multiculturalism, the Australian government elected to strengthen those aspects of the policy that most substantially benefited the business interests of the historically dominant group, and to move away
from those aspects of the policy that gave increased inclusion and rights to ethnically
framed people.\textsuperscript{382}

The bottom line is that Australia has a multicultural policy that foundationally
serves the agendas of business because that is what the Howard administration has
designed it to do. Alternatively, Canada has a policy that recognizes the benefits of
diversity to industry, but does not promote these interests above what Canada identifies
as the main aims of multiculturalism – namely to foster an environment of full and active
participation and belonging in the nation for all people. In contrast to Australian
multiculturalism in its current form, Canada has a policy that works to (attempt to) create
anti-racist environments and to support equal rights because that is what the policy has
been designed to do.

Another concept to consider is the issue of gender in relationship to economic
development. If this rationale for multiculturalism benefits a corporate model that
disproportionately disadvantages women, and particularly ethnically framed women, then
this type of multiculturalism can be read as particularly gendered in a way that other
rationales may not be.

If the entrepreneurial/ business rationale for multiculturalism is not the best
multiculturalism for forwarding equality, retaining this priority over others inhibits the
capacity of multiculturalism to achieve equality-driven outcomes. This type of
multiculturalism clearly is designed to forward the economic agendas of the dominant
group, utilizing diversity as a tool; it does not appear to substantially forward the
economic interests of ethnically framed people, as evidenced by severe ongoing
inequalities in labour markets in all multicultural nations. Cultural diversity is clearly
good for big business, but big business is not necessarily good for diverse cultures. By
viewing multiculturalism as something that can serve the business interests of the nation,
rather than as a policy designed to increase equality, there is an absence of policy that
serves this second function.
In weighing equality versus historically dominant agendas in Western multiculturalisms, the treatment of multiculturalism as a tool for corporate and government financial gain clearly places the former priority as less substantial than the latter. Australia's contemporary emphasis on the business rationale is a strong indicator that Canadian and Australian multiculturalisms are no longer similar policies. In some ways Australian multiculturalism can be read as Canadian multiculturalism twenty years ago (although this would not have been the case if the 1994 proposal for advancing equality had been upheld by the Howard administration), when there was much emphasis on multiculturalism as a tool for the business community, and constitutional changes eliminating easily reversible multicultural rights and freedoms had not yet been made. As Kobayashi may argue, Australian multiculturalism remains at the symbolic stage, without moving on the structural stage – a crucial progression if multiculturalism is indeed going to serve to promote genuine equality and belonging.

4.7 Multiculturalism as Anti-Racism and Equal Rights

The anti-racism rationale for multiculturalism is firmly opposed to foundational philosophies in the policy that disproportionately serve the interests of historically dominant groups; it can be viewed as the most powerful rationale for transforming entire systems towards genuine equality. Potentially, nations that have gone the farthest towards genuinely anti-racist multiculturalism can be considered to have the most advanced forms of multiculturalism. However, bearing in mind the ongoing critiques of multiculturalism in all Western nations from anti-racist activist groups, no country can currently legitimately claim to have fulfilled the potential of this all-important policy rationale. While Canada may be farther along this road than some other nations, it is far from reaching the end of it.

In many ways, this rationale for multiculturalism is somewhat unique because unlike other rationales that may coexist, the fully realized presence of an anti-racist multicultural policy precludes the use of the policy for certain (though not all) other ends. Rationales that disproportionately uphold the authority of the historically dominant group
cannot be located within an anti-racist multicultural policy without significant friction and potential public “outing” of the unequal power dynamics of some agendas in the face of others. Similarly, those rationales that compromise other forms of equality, specifically gender, prove likewise incompatible, for there cannot be an anti-racist policy that fails to support the needs, interests and rights of women of colour, particularly given the parallel growth and mutual influence of anti-racist and feminist activism over the years.

While the early priorities of the policy emphasized equality, it was not until the 1978 conference on Canadian multiculturalism that widespread discussions about anti-racism came to the foreground. In particular, the problems of ongoing systemic racism arose in debates from the youth delegates, who were not shy to point out racial profiling in the media and the education system. While much of the debate focused on similar issues to the earlier 1973 and 1976 conferences, a sense of urgency and a call to action were present in this particular conference that were missing in others. Many of the summaries identified systemic racism and historically dominant norms as barriers to the successful implementation of multicultural goals; in light of this, many of the discussions centered on ways to mobilize multiculturalism to tackle these obstacles.

Despite this urgency, by the 1981 conference, the attentions of a different set of delegates and government organizers (notably Liberals under pressure from an increasingly right-leaning voter base) were set on a new goal: utilizing multiculturalism as a tool in industry and international business. Unlike the previous conference, which included representatives from ethnically framed community and youth groups, the 1981 conference was made up almost entirely of corporate executives and big business delegations. With far different priorities, there was little emphasis on critiquing multiculturalism, let alone introducing anti-racism.

Despite this set back, the sentiments of the 1978 conference were not entirely lost. Prompted by international movements towards anti-racism and employment equity in the UN, the Liberal government commissioned research on the next steps in advancing equality. In 1984 two significant reports were released: *Equality Now!* and the Abella
Commission’s report *Equality in Employment*. Based on a review of government documents from the period, Greg Gauld observes,

During the eighties, new considerations emerged: (1) that equality issues facing communities were in many cases systemic and beyond the capability of the community to resolve, requiring the cooperation and active involvement of government, and of Canadian institutions; (2) that there existed the need for positive measures such as employment equity, and for building a certain degree of acceptance for them; (3) that, within more and more established communities, it was becoming an issue that they be recognized as a part of the Canadian mainstream, not something apart from it.\(^{383}\)

As discussed in the previous chapter, this led to changes in the foundational philosophies of multicultural policy, which were matched in intent by the introduction of employment equity legislation in 1986 and the Canadian Multiculturalism Act in 1988. The original (1971) four program areas (cultural retention; overcoming cultural barriers to full participation in society; cultural exchange; and, acquisition of one of Canada’s two official languages) were revised in 1988 to be: (1) race relations and cross-cultural understanding, including active anti-racism programs; (2) community support and participation in society, with emphasis on women’s groups, education and access to health and community services; (3) support for heritage cultures and languages; (4) the establishment of a multiculturalism secretariat to ensure full government implementation of the policy.\(^{384}\) It is highly significant to the potential of Canadian multiculturalism to successfully foster integration that the policy’s original aims were revisited, with the result of retaining and strengthening that language around overcoming systemic barriers to full inclusion and active participation.

While these revisions are certainly progressive, it was not until 1996 that government discourses around multiculturalism begin to display genuine recognition of the enormity of the task at hand: namely, the restructuring of an entire society and government system to eliminate all traces of race-based discrimination. In the 1996 review of the Multiculturalism Program, three new goals were determined: identity, social justice, and civic participation.\(^{385}\) Based on these recommendations, the Liberal
government began work on Canada’s Action Plan Against Racism. In 2002, Canadian representatives appeared before the UN Committee on the Elimination of All Forms of Racial Discrimination to report on the convention’s implementation in Canada. Notably, multiculturalism was the primary mechanism through which Canada proposed to eliminate racism, unlike Britain, which maintains separate anti-racism and multiculturalism policies. By 2002, the policy’s goals, it appears, had progressed substantially beyond their original 1971 scope of cultural preservation and intercultural exchange. In 2003, Canada released its Action Plan Against Racism, which was praised by the UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Forms of Discrimination. The praise, though glowing, was not unequivocal; the Rapporteur encouraged Canada to do more. Among other things, the Action Plan laid out new foundational philosophies for multiculturalism based on acknowledging systemic racism, promoting equality in access to government programs (including addressing how racism affects policing), and educating the Canadian population about the role of equality in diversity.

The foundational philosophies of Canadian multiculturalism have progressed a long way towards anti-racism and equality, but there are at least two significant areas still to be addressed. The first is contained in the Action Plan itself, and pertains to the Plan’s directed focus. While there is a progressive move towards tackling discrimination in law enforcement (through hiring practices and education) and the labour market (specifically though foreign credential recognition projects), a substantial effort still rests on funding and engaging ethnically framed community groups to play a more active and central role in society. Ostensibly, there is nothing wrong with this – it is definitely a necessary part of an integrated, peaceful society. However, the emphasis on ethnically framed people increasing their participation substantially takes onus away from the need to (1) educate the dominant group about racism, and (2) encourage them to move over and make some room. Just as strategies that encourage women not to walk alone at night create safety for an individual without tackling the underlying problem of community safety, a strategy that bolsters communities to force their way into the mainstream does not tackle the fundamental problem that the mainstream is a guarded and potentially hostile space. If
anti-racism is to succeed, it must be viewed first and foremost as a way of educating the historically dominant group about discrimination, and not as a way of strengthening community groups so that they may provide that education on behalf of the government through the interactions of their daily lives.

The second issue is again a matter of optics – a question of which way the emphasis flows – this time in matters of citizenship. As of 2005, multiculturalism was defined for the average lay person by the Ministry for Canadian Heritage in the following way:

Canadian multiculturalism is fundamental to our belief that all citizens are equal. Multiculturalism ensures that all citizens can keep their identities, can take pride in their ancestry and have a sense of belonging. Acceptance gives Canadians a feeling of security and self-confidence, making them more open to, and accepting of, diverse cultures. The Canadian experience has shown that multiculturalism encourages racial and ethnic harmony and cross-cultural understanding, and discourages ghettoization, hatred, discrimination and violence.

Through multiculturalism, Canada recognizes the potential of all Canadians, encouraging them to integrate into their society and take an active part in its social, cultural, economic and political affairs.388

Under this definition, multiculturalism is seen as the vehicle by which social violence is reduced and quality of life is increased. Diversity is acknowledged as a potential source of social discord, one that is carefully managed by a multicultural approach. The policy is described as motivational in orientation, acting as a drive toward inclusion for all members of society. However, what is still missing from the contemporary foundational philosophy of the policy, and subsequently its implementation, is a concept of ownership of the nation for ethnically framed groups. Although still forwarding equality above all other agendas (significant progress over the business multiculturalism model), contemporary multiculturalism invites ethnically framed people to belong to the nation, rather than inviting ethnically framed people to see the nation as equally belonging to them. There is nothing anti-racist about ethnically framed people belonging to a nation that belongs to the historically dominant group.
While there is still some distance to go, Canada’s commitment to anti-racism through multiculturalism is theoretically a remarkably progressive use of the policy’s potential, particularly given the direction multiculturalism has gone in other Western nations. This rationale for multiculturalism represents the most equality-advanced foundational philosophy thus far in the policy’s development. Arguably, it is one of the foremost reasons why multiculturalism in Canada is strongly supported by a broad spectrum of academics and politicians, and has not been read as out of keeping with the needs of the times, as in the case of multiculturalism in Britain, Australia, Sweden and the Netherlands.

4.8 Reviewing the Arguments:
An International Policy Comparison

When multiculturalism was first implemented in Canada, there were several underlying ideas that permeated the political and popular discourses of the policy without being explicitly stated. Some of them rested on the embedded cultural psychology of those involved in creating the policy. In addition to desiring to facilitate racial and ethnic equality, expansionism, anxieties from historically dominant groups over increasing immigration, and the desire to retain and celebrate a unique national identity all had influence on the project, just as they influenced (and perhaps still influence) the Western imagination at the end of the British colonial era. While two World Wars had made most politicians back away from outward displays of overt nationalism, imperialism and racially motivated power inequalities, these philosophies were nevertheless still influential in the discourses of the 1960s and 70s.

However, while multiculturalism was clearly of benefit to those of historically dominant groups, this does not automatically preclude the policy from having positive effects for ethnically framed groups. This brief summary of multiculturalism in Canada demonstrates the evolving nature of the policy. As the decades have gone by, multiculturalism has not so much abandoned earlier rationales for its necessity or created
new ones that were not originally contained in early multicultural discourses, but instead has altered the emphasis on these rationales. Subsequently, not only has the importance of the policy continued to grow, but early critiques of its success also remain relevant to contemporary manifestations of the policy. As a general summary, it can be said that multiculturalism in Canada began as a national-level response to an already existent diversity across the country. Early attempts at anti-racism were present in the policy, but were a distant second to the political utility of multiculturalism in the service of other interests. In the 1980s, multiculturalism expanded to embrace the goals of the corporate world, and came to be viewed as a tool that could be harnessed for the economic benefit of the nation. In the same period, multiculturalism moved away from a tenuous, reversible position in Canadian policy, and was firmly implanted in law through changes to the *Canadian Charter of Rights and Freedoms*. Since the 1990s, multiculturalism has become an increasingly international identity for Canada, delineating its place in the world as distinct from that of other nations. In its most recent reinvention, multiculturalism in Canada has come to be synonymous with anti-racism initiatives, paving the way for the next leap forward in actualized equality. At each of these stages, new foundational philosophies have been developed that reflect these changing political priorities.

Although the rhetoric of contemporary discourses of multiculturalism in Britain, Australia, the Netherlands and Sweden indicates the incompatibility of ethnically framed cultural practices with Western value systems around equality, particularly exacerbated in relation to Western interpretations of Muslim views on gender, the actual reasons for the collapse of multiculturalism in each of these countries is far more complex. For starters, the root causes of each nation’s retreat from multiculturalism are fairly unique to that particular nation’s socio-economic growth and political leadership. In short, it cannot be concluded from the evidence that multiculturalism has failed due to any fundamental incompatibility between Western value systems around human rights, particularly gender equality, and the cultural practices of ethnically framed groups.
Chapter 4: Rationales for Multiculturalism

A recap of the main reasons why Canadian policy is still strongly in effect is provided below. Significantly, these reasons represent a combination of key policy choices and historical developments.

1. **High Pre-Policy Diversity**: Of all the Western nations that have adopted official multiculturalism, Canada has the strongest historical amount of diversity. Even before the Second World War, Canada contained two major European powers, an Aboriginal population, and a high level of immigrants from diverse locations across Eastern and Western Europe, and Asia. Australia had immigrant diversity and an Aboriginal population, but only a single cohesive Western nation feeding its dominant authority. Britain had higher immigrant diversity than either Sweden or the Netherlands, which did not see significant non-European immigrant numbers until the late 1970s, but none of the European nations had Aboriginal concerns. The Netherlands had its pillarization model, suited to religious diversity, but this did not translate easily to a situation where there were dozens of new immigrant groups emerging. Canada contained the highest diversity in the sense of relatively coherent groups with stakes in the nation-building project (four large distinct groups) which made assimilation models more impractical here than elsewhere.

2. **Long, Stable Growth Pattern**: Of all the nations with official multiculturalism, Canada has had the longest history with the policy, being the first to implement it, and last remaining nation to retain its policy in force. The Netherlands in particular represents the opposite to this pattern, with a rapidly implemented policy in the early 1980s that brought major changes, and subsequently produced unexpected and, in the eyes of the voting population, undesirable effects. The policy subsequently was systematically abandoned throughout the 1990s until contemporary times, where the Netherlands boasts one of the most forceful assimilationist policies in Europe, including the right to deport people for failing exams (which immigrants must fund themselves) on Dutch value systems and conduct. 389
3. **Constitutional Commitment to Multiculturalism**: Closely related to the overall long, stable growth pattern of Canadian multiculturalism is the policy’s place in the Canadian Constitution. Although Sweden was the first to indicate a commitment to diversity through multicultural policy in its constitution in the late 1970s, the wording of this commitment was far more general, and has permitted an easy reinterpretation of its meaning as time has passed and the diversity policy itself has moved from multiculturalism towards cultural integration/assimilation. Unlike Sweden, Canada was far slower to place multiculturalism in its constitution, and its inclusion was part of a much larger constitutional overhaul in 1982, rather than a specific addition. The wording of Canada’s commitment to multiculturalism in the constitution was similarly vague to the Swedish wording; however, unlike Sweden, Canada strengthened the meaning of its wording with the Canadian Multiculturalism Act in 1988. As an act, rather than just a policy which can be changed at will by the party in power even in a minority government without a vote, reversing an act requires a majority vote in parliament following a lengthy government process. While Canada was not the first Western nation with a multicultural policy to link that policy to a national constitution, it is currently the only nation with a constitutional commitment to multiculturalism specifically – one that has evolved and strengthened with the policy over the decades.

4. **All Party Support**: Another key element tied to the growth pattern and constitutional commitment to multiculturalism is the unique fact that multiculturalism has been forcefully supported as a policy by left, center and right leaning parties throughout the four decades of its existence. (The closest to an exception to this statement would be the Bloc Quebecois, but as recorded above the initial policy was supported by the Parti Crediste though the 1970s, and the rejection of multiculturalism in the 1980s was largely due to the manner in which it was tied to other constitutional amendments. It must be noted that Quebec has its own interculturalism policy, which is very similar in strength of support for diversity to Canadian multiculturalism – the main exception being its insistence
on all Quebec immigrant (and citizens, to the extent that they can be compelled) adopting the French language as a starting point for cultural practice.) Unlike the Netherlands and Australia, where the election of right-ring governments opposed to multiculturalism has caused a dramatic retreat from the policy, Canadian right-wing elected governments have not abandoned the policy. Indeed, under the Conservatives in the 1980s, fond as they were of constitutional amendments, multiculturalism was fortified as a Canadian institution. This has not stopped Canadian Conservatives from emphasizing business advantages over other aspects of the policy, but this was not the exclusive use of the policy. In addition, it has produced a continuity in strong levels of support regardless of party elections unseen in other nations.

5. **Strong Voter and Public Support**: Although there have always been dissenters to any policy, particularly one where race relations are involved, Canadian multiculturalism has enjoyed significant public support. Canadian policy was a response to overwhelming public demand during the Bilingualism and Biculturalism Commission’s consultation process – it was a concept that emerged from the people, not something that emerged from government and was forced on the people, as in the case of the Netherlands. Additionally, unlike Sweden, the Netherlands, Britain and Australia, where race relations degraded (at various times over the past fifteen years) to the point where public rallies and interracial violence caused governments to retreat from the policy, Canadians have always had a relatively comfortable (although perhaps comfortably ignorant) relationship to multiculturalism. In Sweden and the Netherlands, large numbers of asylum seekers who were not integrated into the system led to public unrest over national diversity strategies. In Britain and Australia, foreign policy has become inextricably tied to multiculturalism, as racial violence in response to the war in Iraq has led British and Australians to blame local diversity. As discussed in chapter one in relation to David Ley’s work, multiculturalism has become an easy scapegoat for deeper social problems of racism, segregation and questionably moral foreign policy.
6. **Integration not Segregation - A Policy for All Canadians**: As discussed in chapter two, Canada and Australia, following the Canadian model, designed their multiculturalism policies to address all citizens, not just immigrant groups, or in the case of the Netherlands, specific immigrant groups. This has meant substantial differences in approach, particularly in terms of how service provision is handled. In Australia and Canada, the emphasis has always been on providing easy integration for all groups into mainstream spaces, and although this has had mixed success, it has always been the goal. However, in Europe, multiculturalism is conceptualized as a strategy whereby the nation provides media, housing and services in a separated space for immigrant groups, away from the mainstream and often on a group-by-group basis, which has not only assisted in creating ghettoization, but has forcibly compelled immigrants to “retain” their culture regardless of whether they want to or not, and to engage with it in a manner conceived of through the often ill-informed perspective of the dominant Western group. (See in particular chapter two on Sweden and the Netherlands re: lack of consultation.) Even as Sweden and the Netherlands changed the names of their policies from multiculturalism to integration policies, they were still based on a fundamental perception of segregated inclusion for ethnically framed groups. Indeed the choice that has been offered in Europe has largely been one of segregated multiculturalism or assimilationist integration – they have not yet developed a framework for multicultural integration.

7. **Progress Towards Anti-Racism**: Canada’s initial engagement with multiculturalism was very much in the model of a culturally celebratory framework with far less emphasis on core rights. This has changed, as funding for cultural celebrations has been done away with, and replaced over the years by increasingly extensive anti-racism programs and public education. Although Sweden, the Netherlands and Australia all run their anti-racism initiatives largely through the framework of their multiculturalism/integration policies, the scope of the anti-racism initiatives has fallen away, being replaced in the Netherlands with
an assimilation policy, and in Australia by a "multiculturalism for big business" model. Sweden retains its anti-racism programs, but they have now been forced to develop within an increasingly assimilationist integration policy, that while nowhere near as strict as the Netherlands' equivalent, has nevertheless curtailed what is possible under and anti-racism framework.

8. **Anti-racism through the Multiculturalism Framework**: This point refers directly to Britain, which has maintained a non-codified multiculturalism, and has developed a separate anti-racism program, to the extent that the two now coexist as fully developed options in opposition to each other, rather than in support of each other, as is the case in Canada. While British anti-racism could be said to be amongst the best in the world, its separate evolution from multiculturalism presents some concerns. It is far harder to convince the full political spectrum of voters to support something such as anti-racism, which has always drawn heavy critique from the right as a form of reverse racism. This places anti-racism in a more vulnerable position politically. In Canada there is long-standing, strong public support for multiculturalism, and the primary focus of that policy has become anti-racism, which therefore is protected to a large degree from political confrontations. Additionally, the resources for one program are not in competition with the other, as they are in Britain, because quite obviously the two programs are intimately linked in Canada. British multiculturalism is critiqued by anti-racism scholars and activists for being little more than the type of "red shoes" celebratory multiculturalism Canada had in the 1970s, while race riots and terrorism fears have led many centre and right leaning Britons to claim that too much concession has been given to ethnically framed groups, resulting in segregation, to which the only solution (as they see it) is a return to more assimilationist diversity policies. In this context the old adage "united we stand, divided we fall" is pertinent. Anti-racism has fostered the progressive evolution from symbolic to substantive multiculturalism in Canada, and in return, multiculturalism has provided support and resources to anti-racism; subsequently, there is general support for both programs. In Britain, multiculturalism appears
stuck at a red shoes stage, while anti-racism attracts strong support, but not from a majority; the two policies compete with each other, leaving neither on firm ground as inter-ethnic tensions in Britain increase. The end of multiculturalism in Britain is no guarantee that anti-racism in full force will take its place, despite the wishes of advocates such as Trevor Phillips. Such a perspective denies the very real presence of a strong right wing lobby that would like to see multiculturalism replaced with an assimilationist integration program rather than an anti-racist one.

The following chart can help to summarize the above points; however, it is meant as a loose approximation of which nations embodied which factors, not as an absolute authority on these ideas. Its main purpose is to demonstrate that it was not one reason, but many factors that led to Canada being the last Western nation with a strong, currently functioning, “slated to continue” multiculturalism policy. Additionally, not one of these factors can be traced to a fundamental incompatibility between Western models of gender equality and the cultural practices of ethnically framed people.

<table>
<thead>
<tr>
<th>Factors in Multiculturalism Policy</th>
<th>Britain</th>
<th>Netherlands</th>
<th>Sweden</th>
<th>Australia</th>
<th>Canada</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long, stable policy growth pattern</td>
<td>yes</td>
<td></td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Constitutional commitment</td>
<td></td>
<td>yes</td>
<td></td>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>Continuous public support</td>
<td></td>
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<td></td>
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<td>yes</td>
</tr>
<tr>
<td>All-party support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>Stable asylum/refugee program</td>
<td>yes</td>
<td></td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>No Iraq involvement</td>
<td></td>
<td>yes</td>
<td></td>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>Anti-racism within multi</td>
<td>yes</td>
<td>yes</td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Integration not Segregation</td>
<td></td>
<td></td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Aboriginal population</td>
<td></td>
<td></td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Long-term pre-policy immigrant diversity</td>
<td>yes</td>
<td></td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>More than one dominant power</td>
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4.9 Anti-Racism and the Evolution of Stable Multiculturalism

Because multiculturalism is a collected body of related but diverse philosophies under one name, it is capable of delivering contradictory results at the same time. The key to understanding this is to begin to view multiculturalism as a compilation of ideas rather than as a single policy; in this way those aspects of multiculturalism that benefit equality can be isolated and enhanced, while those that continue to serve Anglo-dominant or systemically racist agendas can be eliminated. By viewing the policy as a single entity, it can be easy to claim that multiculturalism is failing to create cohesive societies or to forward equality because some aspects of the policy are firmly linked to maintaining power relationships that were established fifty years ago. By lumping all aspects of the policy together and then discounting it as fatally flawed or systemically racist, immensely valuable anti-racist developments will likely be lost, and society will hardly be closer to understanding how to create cohesive equality-based communities. If the problem holding back multiculturalism is lingering systemic racism, eliminating multiculturalism will hardly eradicate the problem – it will likely only delay a clear understanding of the problem’s root cause.

By carefully tracking Canada’s movement through distinct policy rationales, a clear pattern emerges: aspects of the policy that were of greater benefit to the Anglo-Canadian dominant majority were strong in the early years of the policy and have been steadily diminishing; aspects of the policy that facilitate anti-racism and cope with difficult underlying systemic discrimination have emerged slowly over the past forty years and now represent one of Canadian multiculturalism’s top priorities. As the decades have gone by, the policy has: made progress in adapting to Aboriginal and Francophone concerns; moved from a tenuous policy to a legislative act; been used to promote (somewhat problematically) a stronger Canadian identity at home and abroad; emphasized and then backed away from the policy as a business tool; established (partial) boundaries between the policy’s intentions and general public co-option and misrepresentation of its ideals; significantly strengthened its role as anti-racism policy;
and, maintained its original commitment to promote and protect the cultural heritage of all Canadians.

When comparing Canadian multiculturalism to that of other Western nations, it is clear that Canada was not only the first country to adopt the policy, but also the one that has maintained the strongest commitment to the policy’s potential as a facilitator of equality-based inclusion and human rights. In essence, because Canadian multiculturalism’s foundational philosophies have come to be more fully committed to antiracist ideals, the policy has theoretically become more capable of producing the desired social results of harmonious integration and general equality, because antiracism acts to minimize the systemic lingering colonialism in society and to increase the human rights elements. In opposite terms, the more multiculturalism moves away from antiracism as a primary priority (as in other Western multiculturalisms), the more the policy creates discriminatory environments that disproportionately serve the agendas of historically dominant groups. The foundational philosophies of the policy, originally developed under the different rationales for the policy’s existence presented in this chapter, play a key role in multiculturalism’s capacity to yield advanced equality, and as such should be analyzed closely for competing and complexly intertwined agendas.

Ultimately, it is not multiculturalism that is flawed, but the nation’s intention and application of the policy for certain aims. Clearly, multiculturalism can be both a tool for the corporate and political agendas of historically dominant groups, or it can be a means for government to facilitate a society based on human rights and realized equality. In the end, what must be targeted to reform the result is not multiculturalism as a whole, but the embedded aspects of systemic racism that enable undesirable outcomes. The best results are reached by acknowledging and addressing problem areas within the policy, rather than by abandoning the policy without examining the underlying factors creating failure. The ongoing dedication of Canadian multiculturalism over the decades to fostering inclusion and building genuine equality demonstrates that the policy can be made to support desirable results, but only if a nation is able to address lingering aspects of the policy that disproportionately serve the interests of some people over others.
Endnotes:

276 Ibid.
279 Ibid. p.11
286 ibid. p.52


ibid.


ibid. p. 19


Chapter 4: Rationales for Multiculturalism


ibid. 89


Chapter 4: Rationales for Multiculturalism

323 The Government of Canada operates a website under the heading Indian Residential Schools Resolution Canada, which describes the history, abuse and trauma of these institutions. The last federally-run residential school closed in 1996. http://www.irsr-rqpi.gc.ca/english/index.html
Chapter 4: Rationales for Multiculturalism

336 Ibid p. 182
337 Ibid p. 182
348 Available at http://www.canadianheritage.gc.ca/progs/multi/reports/ann2005-2006/4_e.cfm
Chapter 4: Rationales for Multiculturalism

350 Ibid. p. 94
351 Ibid.
353 Ibid (Hiebert et al)
358 Ibid.
Chapter 4: Rationales for Multiculturalism


368 ibid p.1
369 ibid p.1
370 ibid p.2
372 ibid
378 ibid.
380 ibid. p.14
Chapter 4: Rationales for Multiculturalism

387 ibid p.4
“Multiculturalism Versus Gender Equality”:
Challenging Assumptions, Essentialism and False Dichotomies

There are few places where multiculturalism leaves itself more open to popular criticism than in the areas of gender and human rights. The question is frequently posed: which has more weight – the rights of cultural groups to retain patriarchal practices, or the rights of women to live in an equal society? While on the surface this question seems to lead to the obvious conclusion that multiculturalism enables gender discrimination by asserting the right to culture-based patriarchy, the issue is far more complex. Firstly, there are legal distinctions to consider that are widely misunderstood in public discourses. State-sponsored multiculturalism is often credited with permitting practices that are actually enabled by human rights conventions around freedom of religion that not only predate official multiculturalism, but also exist in countries without state-sponsored multicultural policies. Secondly, multiculturalism is held responsible for legitimizing situations of discrimination (predominantly in the private realm) that fall outside the purview of the law, such as husbands having more freedom of mobility than their wives, or daughters facing stricter rules around dating than their brothers. In these cases, historical inequality, systemic racism, media depictions of difference and other social factors compound difficult situations, and ultimately multiculturalism becomes an easy target to blame for supporting the practices of ethnically framed groups that have, in the minds of historically dominant groups, a higher propensity to patriarchal discrimination. The end result? Multiculturalism is credited with legally and socially supporting gender discrimination, while other aspects of law, policy and society go largely unexamined.

The equation of patriarchy with ethnically framed groups is a highly problematic practice that encourages racial stereotyping. The fact that this is pointed out by feminist academics is important, for it shows that even those who are invested in highlighting patriarchy in all contexts do not buy into the automatic equation of patriarchy with the practices of ethnically framed groups. Patriarchy cannot be said to be the product of one group, or even a few groups – it is endemic around the world. It cannot be said that Muslim countries are patriarchal, while Western ones are not. However, it is
also important to recognize that different degrees of patriarchy exist. While it is a form of patriarchy for a father to raise his children with the assumption that boys will be better at sports than girls, this cannot be said to impose gender-based inequalities to the same extent as a family wherein girls are beaten for dating someone against the wishes of the parents. Ultimately, it is the more extreme forms of gender-based discrimination, those that undermine women's basic human rights to equality, dignity and protection, which capture the imagination of certain academics and the media, which claim that multiculturalism is responsible for permitting the expansion of these practices in Western liberal nations.

The purpose of this chapter is to closely examine locations where the expansion of patriarchal practices is being attributed to state-sponsored multiculturalism's role in Canadian society and law, and to determine the validity of these claims. If multiculturalism is indeed responsible, as Susan Okin and others have claimed, for encouraging gender-based human rights abuses, then this situation could potentially merit the end of the policy, for how could governments promote increased ethno-cultural rights at the expense of women's rights? However, if these assumptions about multiculturalism are false, as this chapter will attempt to show, then the future success of the program, as judged by the general public, may depend very much on the government's capacity to educate Canadians about the role of multiculturalism in promoting gender equality. As Kymlicka argues, misinformation and a general lack of well-circulated official information on how multiculturalism actually works are serious problems that create undue criticism for the policy. The issue of multiculturalism's role in gender and human rights is one such area where the general perception appears to be far from the actual foundational philosophy of the policy.

The intention of this chapter is to argue that the philosophical underpinnings of Canadian multiculturalism are mutually compatible with gender equality, and that in some situations, the two may also be mutually reinforcing. In this sense, the chapter contends primarily with the philosophical policy choices that have been developed in Canadian multiculturalism as they manifest in law and policy. The first hurdle in good
governance is to establish a sound working philosophy; the second is to build the framework of the policy around this philosophy; and the third is to successfully implement programs such that they reflect the goals of the foundational philosophy. If there is a philosophical impediment to gender equality, then the framework, implementation and results of that policy will reflect the presence of that impediment. Subsequently, the first priority must be to establish a policy philosophy that is committed to equality, and one that foresees and deals with any obvious obstructions to the implementation of this equality philosophy. In short, if state-sponsored multiculturalism is indeed incompatible with gender equality, then this will manifest at all levels of the policy, from philosophical foundation to implementation. This chapter contends that Canada has established a strong philosophical basis for its multiculturalism (although reports of the success of the policy implementation have been mixed), and that through appeals to this foundational philosophy as it manifests in law and in practice, it is possible to demonstrate that Canadian multiculturalism is fully compatible with gender equality and human rights.

In this debate it is important to differentiate between multiculturalism being bad for gender equality (in terms of the cultural practices of ethnically framed groups) and multiculturalism being a policy that imperfectly administers services to women. The first is a matter of content contained within the philosophy of the policy, the second is a matter of how well the Canadian government is able to administer the programs resulting from the policy aims. Just as the previous chapter contended that systemic racism was an embedded element of government policy, and that subsequently multiculturalism contained aspects of that racism in its underlying philosophies, so too can it be argued that gender inequality is a similar historical inheritance, and is subsequently similarly embedded in Canadian policy, including multiculturalism. The intention of this chapter is to tackle the issue of whether or not multiculturalism is fundamentally at odds with gender equality, rather than to adjudicate the degree to which the policy has been able to evenly administer services to both men and women, and to take into account the needs of ethnically framed women. The challenge presented by Okin and others is that multiculturalism provides a venue through which patriarchal value systems may negate
women's human rights, not that multiculturalism (like many other policies) has been imperfect in its implementation of services equally to men and women. While this second issue is a great matter of interest to the practical workings of Canadian multiculturalism, it is a sizeable matter on its own - one which falls outside the purview of this discussion.

5.1 Blaming Multiculturalism: Popular Policy Misconceptions

As feminist Uma Narayan has argued, efforts at eliminating gender essentialism often lead to cultural essentialism, which exposes women to continued isolation and disempowerment. An example of this can be seen in international journalist Johann Hari’s review of several recent German legal decisions, where reduced sentences for men have been handed down in cases of extreme gender-based violence (including murder) on the grounds that the women in question belonged to ethnic groups where the German judges deemed domestic violence to be a culturally expected and therefore acceptable part of daily life. Hari also references the German magazine Der Spiegel, which she claims has itemized a long list of similar cases, and she provides a quote from German Minister for Integration Armin Laschet, who refers to “a chain of horrific rulings handed down by the German courts.” Hari unfortunately attributes this to the role of multiculturalism in German law – a decision that fails to recognize the main root causes of the problem: firstly, racialized assumptions about Muslim culture by non-Muslim German judges who hold no expert background in shariah law; and secondly, the failure to uphold the rights of women, as equal individuals, to claim non-discriminatory justice under the German human rights code.

As problematic as these cases are, particularly given that Germany has no official multicultural policy, they illustrate two issues Canada shares: namely that multiculturalism’s place in legal rights discourses is misunderstood; and that a lack of clarity can lead to a lack of justice, particularly for women.

Even today, almost a decade into the twenty-first century, the vast majority of positions of authority in the Western world, if not the entire world, are held by men.
Within this male-dominated Western sphere, historically dominant groups also retain the majority of cultural influence, regardless of changes in ethno-racial population percentages. This results in a situation where not only is it easy for decision makers to act as if their norms are the norms across genders and cultures, but it is also difficult to refute such assumptions. The lawmakers act as their own mirrors, and are satisfied with the reflections produced there. This makes it disturbingly easy for cases to arise, such as those Johann Hari draws attention to in Germany, where women find their rights impeded between the dual stereotypes of gendered and cultural expectations as defined by those in authority. In the cases Hari describes, the women in question are doubly dehumanized, for not only are they subjected to extreme violence that violates their dignity of person, but they must then appear before the state to only be recognized as either a cultural being or a woman. While these cases cannot infer a standard for all German law, it seems from the disturbing consistency of their rulings that a “woman” under German law is entitled to seek justice for violence against her person; a “cultural being” is not. In these cases, the approach to law, carried out in the name of multicultural sensitivity (which is really a combination of racial prejudice, patriarchal norms and ignorance), cannot view a woman of colour, or a “woman of culture” as a cohesive being, because “German” women receive one set of legal protections, which “non-German” women are denied. This reinforces the racialized ranking of women of the nation, with women of the historically dominant group receiving a fuller set of rights than ethnically framed women.

As Pratt has shown, liberal notions of liberal citizenship engage problematically with public/private boundaries, often making it difficult for women to secure protections in domestic spaces. Pratt contends that this forms a core challenge in feminist struggles to function within and critique liberal societies. In these recent German cases the difficulty of seeking justice in private matters is compounded by the judges’ assumption that the expectation of cultural practice outweighs the expectation of national protection. The judges cited a culturally expected right to a certain level of domestic discipline on behalf of the males accused, this was used as a rationale for granting lower sentences. However, surely the act of migration to Germany must be viewed as a fully conscious expectation of being held accountable under German law. In these cases, the judges ruled
in favour of a man’s right to expect domestic authority, thereby granting reduced sentences, rather than in favour of a woman’s right to expect nationally standardized justice. In effect, the judges made assumptions about the cultural spaces these families had immigrated from, and then proceeded to hand out sentences as though they had never in fact entered Germany, but continued to reside under the laws and customs of their previous location. Motivated by racial stereotyping rather than any legal appeal to an actualized multicultural policy, the judges in these cases ruled in a manner that re-inscribed German borders as extending only around the bodies of “German” women, and not around those who were seen as the cultural “other”, women whose status as outsiders within the nation was firmly reinscribed by the decisions handed down.

These German cases are deeply ironic given that Germany does not have a multicultural policy. Considering this, it is surprising that the judges considered the expectation to retain cultural standards from another location to be a legitimate claim to a reduced sentence. There can be no doubt as to the heavily gendered and racialized values structuring these cases, and one wonders if the sentences would be so light if one of these same men committed a parallel act of violence against a white, Christian, “German” woman. In these cases, the lack of legal multicultural expectations in Germany would seem to preclude such uneven administration of justice, whereas in reality the lack of official policy appears to enable individuals of authority to interpret culture on their own terms. But what about Canada, where a multicultural policy does exist, and where individuals may legitimately have some expectation to cultural retention, not only in daily life, but in legal matters as well? Does this mean Canada has set itself up to broadly legitimate the same racialized, gendered inequalities in justice that manifest in these German cases under the premise of multicultural sensitivity?

The connection between multiculturalism (in the form of unqualified group rights) and gender discrimination is the subject of a widely read article by Susan Okin, now compiled into a book of collected articles from prominent multiculturalists in response to her work. Okin contends that because the majority of global cultures are patriarchal, and because multiculturalism encourages the preservation of cultural habits,
multiculturalism is therefore promoting the expansion of gender discriminatory practices in liberal Western nations. According to Pratt, “After reviewing practices such as polygamy, clitoridectomy, wife-murder, marriage by capture, (Okin) concludes that, in such cases, gender equity must trump cultural relativism.” Pratt quotes Okin, who claims that these women “might be much better off if the cultures into which they were born were wither to become extinct (so that its members would become better integrated into the less sexist surrounding culture) or, preferably, to be encouraged to alter itself so as to reinforce the equality of women – at least to the degree to which this value is upheld in the majority culture.”

Comparable to the assumptions about multiculturalism made by Hari, Okin uses examples from France (which is also a nation without state-sponsored multiculturalism) to illustrate how multicultural group rights are bad for women. While she also mentions Britain, she only references the appeals that are made in some legal cases to cultural defenses; she never mentions whether or not these appeals are successful under the British system, although she does say they are successful in France in cases of polygamy and sometimes spousal abuse. Okin does raise some good questions about the limits of cultural practice, but there are serious problems with the way she uncritically equates demographic laissez faire multiculturalism with official state-sponsored multiculturalism. What is even more surprising is that this point is missed not only in Okin’s original article, but also in both the responses to her work (including Kymlicka’s) and her refutation of the responses. This presents a serious flaw in the argument, for to claim that any system of group rights disadvantages women, and then to entirely fail to qualify what is meant by group rights in connection to multiculturalism, Okin bases her whole premise on an unsubstantiated universalization.

A second key concern with Okin’s work (in addition to feminist critiques over her tendency to essentializes “the other” and misrepresent feminism) is the lack of any concrete solution about what Okin proposes nations should do about the problems she identifies. If, as Okin says, these injustices are prevaricated by the spread of multiculturalism (which she equates with immigration to the West from Africa, Asia,
South America and the Middle East) then the only potential solution one can arrive at is to send all these people "back" or to compel absolute assimilation to Western value systems pertaining to acceptable limits of patriarchy in gender debates. If the problem is a matter of diversity (indicated by Okin, as opposed to policy, which Okin never comes close to suggesting) then there is precious little that can be done about it. Okin concludes that multiculturalism brings people from egregiously patriarchal cultures, and that multiculturalism also results in some unqualified suspension of the rule of law (which she loosely terms group rights), ergo multiculturalism is naturally bad for women. By sidestepping what exactly is meant by "multiculturalism," Okin creates a hard-line opposition between feminism and multiculturalism (in the form of demographic diversity) presenting assimilation to Western values as the only path forward (with the unstated effect being to expel or keep out those who don't comply). It is disappointing that Okin chooses to equate all liberal states in this manner, effectively saying that the problems of gender and multiculturalism are the same in France and Canada, or Britain and Germany – hardly a sound theoretically position, and yet even more disturbingly, one that seems to have been highly persuasive.

Although it might be easy to conclude that multiculturalism is a license to do whatever an individual wants under the premise of cultural freedoms, neither Canadian law, nor the multicultural policy support this reading, as evidenced by a recent legal decision in the Ontario Court of Appeal. In 1999, in a case parallel to those in the German court recounted above, a man killed his wife, whom he said was unfaithful, and claimed he was defending the family's honour under Islam. As Canadian journalist Linda Diebel reports, not only did this not work in the conviction trial, it didn't work in the appeal either. Additionally, the judge in the case issued the following statement in the decision, "The alleged beliefs are premised on the notion that women are inferior to men and that violence against women is in some circumstances accepted, if not encouraged. These beliefs are antithetical to fundamental Canadian values, including gender equality."
While this recognition of gender equality in Canada is important, what is equally crucial to point out is the degree to which such an appeal relies on the ignorance of Canadian courts about exactly what is and is not permitted under Islam. While there are unequal standards of justice under shariah law based on gender, one is not entitled to take the law into one’s own hands and commit a murder. While a woman may be held on trial for adultery under shariah law, which carries severe penalties, protocols still exist to process such a charge through a legal system. In making an appeal to Canadian multiculturalism on the grounds that a man in Islam is entitled to protect the family honour by murdering his wife without evidence and due process is an insult not only to the Canadian system, but also to Islam; it dangerously compounds an already unstable global situation where many Muslims are fighting to reclaim the reputation of their religion from those who have used it to secure excessive patriarchal authority, lack of accountability, and the practice of general abuse. The West is complicit in this through its ignorance of Islam, and through its willingness to accept, as the German judges did, the claim that shariah law and Muslim culture unequivocally support patriarchal abuses of authority. Fortunately, this blanket acceptance was not followed in Ontario, which has recently been through a long review of the compatibility of religious and provincial law, including a review of shariah law. Following appeals by some Muslim groups to utilize provisions made for Christian and Jewish groups in religiously conscientious arbitrations for family disputes, the Province asked former Attorney General Marion Boyd to prepare a response. Relying on the principles of multicultural justice across all groups, and reiterating a number of safeguards against abuse of the system or unfair discrimination against women and children, Boyd supported the request. While the media frenzy and numerous protests from both Muslim and non-Muslim Canadians served to sink the proposal, the concept was welcomed (although not approved) by the Attorney General’s Office of Ontario, where legal professionals were more comfortable with the limited scope of the proposal, and the safeguards against Charter violations it contained. While the proposal was ultimately defeated, it provided significantly increased awareness for Ontario’s legal experts on the protocols and limits of shariah law. In this sense, official multiculturalism worked to benefit the pursuit of equality in law by opening channels through which the Ontario courts became better familiar with Islamic shariah and the
standards of justice it outlines. After all, shariah is about the rule of law, not the justification of patriarchal lawlessness.

Canadian multiculturalism’s engagement in gender debates is complex, particularly considering the limited scope of authority multiculturalism is capable of exerting on legal proceedings. What happens in cases where principles of multiculturalism appear to be in conflict with principles of human rights? Where is the private/public line drawn? How and when do cultural practices take precedence over women’s rights, and vice versa, and is there adequate space for women’s cultural rights to exist beyond the either/or dichotomy presented in the German cases listed above?

There is already a perceived disjuncture between multiculturalism and women’s rights in popular Canadian discourse, one that problematically assumes an “ethnic” presence in the former, and a “Canadian” presence in the latter. The Globe and Mail, reporting on the release of a survey on Canadian responses to multiculturalism, titled the article “Majority say equality trumps multiculturalism.”\(^{401}\) The survey was intended to assess Canadian attitudes to Muslims prior to a major conference by the Trudeau Foundation entitled “Muslims in Western Societies.” The survey asked respondents to select which of the following two options most closely matched their own view of gender in relation to culture: “1) Canada should accommodate traditional practices when it comes to the role and rights of women; or 2) Ethnic minorities should adapt to mainstream beliefs on women’s issues.” Results were 13% for the former, 81% for the latter, and 5% for equally/don’t know/no answer. The phrasing of this question shows remarkably leading language. In this context “traditional” clearly indicates “ethnic”, which is read as non-white, non-majority; alternatively, the “mainstream” is a space for the majority. While not stated obviously, there is a clearly leading set of assumptions that places “equality” as the belief of the majority, and “inequality” as the daily practice of the “traditional ethnic”, something made even more explicit by the Globe and Mail’s choice of title. For a survey on multiculturalism, not only does this demonstrate a disturbing lack of knowledge about the actual workings of multiculturalism in Canada (only 5% picked both options/don’t know/no answer, which were revealing conflated), but it also
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highlights how the media replicates harmful dichotomies based on racialized stereotypes. In locating the boundaries of these terms where they have, both the research institute and the media have read multiculturalism and gender equality as mutually exclusive, and have designated equality as something that can only be achieved through adherence to "mainstream" (read: historically dominant group) values. Given the persistent gender inequalities across all fields of Canadian life regardless of ethnicity (including areas of domestic violence), this seems a problematic conclusion at best.

So where does that leave Canadian multicultural policy? In both the German cases and the Globe and Mail article, multiculturalism is depicted as being at odds with a central system that provides equal access to the law for women. In both of these situations, the mobilization of this either/or scenario reinscribes the superiority of the historically dominant group, where membership in a "multicultural" community is seen as an elective movement by women to subject themselves to discrimination and culturally motivated levels of domestic violence. But what about the role of the actual policy? Is this reading supported by Canadian multiculturalism, or is it simply an undesirable cooption of the policy?

As discussed in chapter four, there are many different aspects of multiculturalism that can be mobilized for different ends. In the above cases, multiculturalism becomes a means of fortifying the boundaries of difference at the expense of women's access to both justice and cultural belonging simultaneously. In the above scenarios, one is either a mainstream woman who can access equality through the national system or one is a woman who can access cultural belonging by electing to remain an outsider within the nation and is subsequently unable to enjoy equal protection under the law. Both choices revalidate the central authority of the historically dominant cultural group within the nation, while erasing any gender inequalities supported and perpetrated by the historically dominant group.

Under this reading of multicultural justice, women are offered choice, but it is, at best, an imperfect choice. When an individual is asked if they would rather lose their
right arm or their left, the ultimate answer is neither. Similarly, to force women to choose individual rights or cultural belonging (under the auspices of integrating law and multiculturalism) is to compel them to what is, at best, partial membership in the nation. As illustrated in the following section, the irony of the situation is that multiculturalism, when mobilized to forward anti-racism and equality, is designed to ensure that such a choice need not be made. State-sponsored anti-racism measures specifically target areas where inequalities manifest, and are intended to prevent rather than permit uneven levels of access to justice, social belonging and the basic contentment of feeling at home in a country. The difficulty lies in actualizing this progressive principle in a policy that is easily co-opted, and widely misunderstood. In this context, it is crucial that Canadian multiculturalism contains the foundational policy philosophy to successfully guide and implement programs that support gender equality.

5.2 Gender and Group Rights

There is no escaping the fact that all societies and all judicial systems are culturally based; no amount of labeling the “other” changes the reality that the majority (no matter where in the world one is) has a culturally influenced “traditional” set of legal values. The vast majority of main world religions (and arguably all of them) have divisions in place that restrict women from holding positions of equal political authority, and/or that expose them to an unparallel series of social restrictions when compared to men. Religion is one of the most formative aspects of culture, and informs even those countries which claim to enforce divisions between church and state, such as Canada. Based on the norms of historically dominant groups (which were in turn based primarily on Christian value systems) Canada’s early legal system placed the same restrictions on women holding positions of public authority that the Christian faith practiced. Even today, the painfully slow climb of Canadian women up the ladder into positions of political authority parallels a similarly slow climb for women in various Canadian Christian churches. It is no simple matter to claim that “mainstream” Canada represents realized equality for women – any edition of any major newspaper, election report, business report or hour of television will demonstrate that women still form only a small
percentage of positions of societal prominence, influence and affluence proportional to population, and that they continue to find themselves predominantly in "traditional" roles – as mothers, workers in support rather than leadership placements, sexualized youth and domestically-minded consumers. This is not to say that there has been no progress; merely that the progress that has begun is certainly not complete. Human rights legislation is as much a protection for women belonging to Christian-based historically dominant communities as it is a protection for those who belong to communities based on other faiths, regardless of how one reads culture, gender discrimination is certainly not limited to non-“mainstream” groups.

This returns the discussion to the potential conflict of interest between multicultural and Canadian law. Does multiculturalism promote group rights that may permit discrimination towards women? The answer is complex, and depends on factors such as voluntary membership, ability to consent to practice, the intended application of the group right, and the location (internal or external to the group) from which the desire to implement it is generated.

The assumption that multiculturalism creates a rationale for women to be subjected to alternative standards of justice is primarily based on the assumption that the application of group rights automatically outweighs individual human rights. Not only is this position legally unsound in Canada, but it also infers that group rights are somehow a cohesive set of rights that are in opposition to individual human rights. This notion is vehemently attacked by Kymlicka, who argues persuasively that although some types of group rights may interfere with human rights, there is no fundamental mutual exclusivity between most sets of group rights and the liberal individual concept of human rights.

According to Kymlicka, and as illustrated by the Globe and Mail survey, “Critics of collective rights... often invoke the image of theocratic and patriarchal cultures where women are oppressed and religious orthodoxy legally enforced as an example of what can happen when the alleged rights of the collectivity are given precedence over the
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rights of the individual.\textsuperscript{404} Kymlicka, paraphrasing feminist scholars Abu-Laban and Stasiulis\textsuperscript{405}, warns, “there are fears that ‘multiculturalism taken to its logical extreme’ could justify allowing each ethnic group to impose its own legal traditions on its members, even when these traditions conflict with basic human rights and constitutional principles.”\textsuperscript{406} However, Kymlicka carefully differentiates between group rights that are designed to create internally focused orthodoxy, and group rights that are sought to alleviate externally imposed normativity. Kymlicka argues that there is no inherent conflict between group rights that endeavour to secure the latter, and that those seeking to promote human rights in a liberal framework “can and should endorse certain external protections, where they promote fairness between groups, but should reject internal restrictions which limit the right of group members to question and revise traditional authorities and practices.”\textsuperscript{407} By differentiating between these types of group rights, Kymlicka provides a framework where there is no automatic conflict between multiculturalism (as the right to cultural retention) and gender equality (as the right to expect equal protections before the law.) Cultural retention as protection from a dominant society should not be confused with the right to impose restrictions internally: a group right exemption to cover one’s head and wear hijab in a courtroom is an example of the first right, which Kymlicka says has no inherent conflict with gender equality when voluntarily selected as a religious practice; the compulsory wearing of hijab for all Muslim women is an example of the second, which Kymlicka contends is not a right at all under liberal multiculturalism, but is instead a violation of rights. While it must be acknowledged that the line between these two categories is not always so clear cut, particularly given the pressures patriarchal societies can place on women’s capacity to make free and informed choices, the distinction between the two examples is nevertheless useful in understanding the relationship between gender and multiculturalism.

In his response to Kymlicka’s work on group rights, Weinstock claims, “Kymlicka has argued that, far from it being the case that collective rights conflict with liberalism’s moral individualism, the latter positively requires the former... secure cultural membership is a primary good as essential to individual well-being as are the more traditional liberal goods.”\textsuperscript{408} He praises Kymlicka’s work as “the most rigorous and
systematic attempt to show that the incompatibility between liberalism and the acceptance of collective measures... is actually only apparent." However, despite any success he may have had in outlining this framework, Kymlicka acknowledges that there are spaces where his own criteria are challenged by lived reality. In a particularly difficult case, that of Aboriginal self-government in Canada, Kymlicka observes,

Concern has been expressed that Indian women in the United States and Canada might be discriminated against under certain systems of self-government, if these are exempt from the usual constitutional requirement of sexual equality. Indeed, the Native Women’s Association of Canada, worried about the danger of sexual discrimination on their reserves, has demanded that the decisions of Aboriginal governments be subject to the Canadian Charter.

On the other hand, many Indians insist that this fear of sexual oppression reflects misinformed or prejudiced stereotypes about their cultures. They argue that Indian self-government needs to be exempt from the Bill/Charter of Rights, not in order to restrict the liberty of women within Indian communities, but to defend the external protections of Indians vis-à-vis the larger society.

While it is unreasonable to assume that there is little more than misinformation or stereotypes in the idea that exemption from the Charter would limit Aboriginal women’s rights, particularly given that this concern comes directly from the Native Women’s Association of Canada, there is validity in the idea that life under the Charter would control Aboriginal rights to self-determination. The difficulty with applying Kymlicka’s internal/external application to this case is the matter of history. As feminist Native academics argue, any original gender equality that existed in Native communities has long since been eroded by centuries of patriarchal interference and forced conformity to Anglo-European gender norms, not to mention the recent decades of residential schools that devastated Native communities even in a time when human rights and multiculturalism were accepted by the House of Commons. This does not mean that Native cultures were entirely free from patriarchy in some form of idyllic, pre-contact setting, but that the social balance where women were actively valued was disrupted to the point where Native women could not claim value or social authority under any system – Aboriginal or the highly patriarchal, racially compounded guidelines of Canada’s early
settler society. It is no wonder that Native leaders see ongoing interference from the Canadian government in their value systems as a threat, but it is also no wonder that Native women have serious concerns about walking away from perhaps the only meaningful equality the legal system of the historically dominant group has ever offered them, particularly given that any historical claims to gender equality in Native value systems have long since been compromised by the influence of European patriarchy.

Referenced briefly in the discussion of the German legal cases above, any voluntary migration to a nation can be read as a de facto expectation that the rule of law of that nation will apply to the person entering, just as it applies to those who already reside within the boundaries of the nation. However, in the case of Aboriginal Peoples, there is no option for migration – this is not a matter of elective or voluntary residence in a new location. Instead, it is a matter of a nation building itself upon Native lands, and overwriting its law onto Native customs. This history complicates matters far beyond any delineation of group rights as internal restrictions or external protections. Because of this, Aboriginal Peoples’ engagement with human rights debates should not be filtered through discourses of multiculturalism or a group rights framework based on “ethnicity” rather than aboriginality, because any discourse that considers a migratory framework as a fundamental aspect of its theory is ill-equipped to deal with the nuances of Aboriginal Peoples’ histories, challenges and rights. Similarly, Aboriginal Peoples are not well served by multiculturalism’s ambiguous overlap of culture, religion and law, because many Aboriginal Peoples’ practices cannot be so easily labeled through Western philosophical definitions; Aboriginal Peoples may therefore find both multiculturalism and the Human Rights Act to be insufficient vehicles to convey their rights to uphold practices they historically value which are not easily defined as either cultural, religious or ethnic. At best, a multicultural framework can seek to reduce or eliminate the cultural norms of historically dominant groups inscribed in law that restrict all citizens and residents of Canada to the standards of those groups. In this context, discussed below, the reduction of Anglo-normative influences on cultural practice opens up spaces for Aboriginal Peoples and non-dominant cultural groups alike, without compelling either to self-identify as the beneficiary of “special” treatment.
5.3 Determining Where the Real Conflict Lies

Perhaps surprisingly given public perceptions\textsuperscript{414} to the contrary, the presence of official multiculturalism in Canada appears to resolve potential rights conflicts between gender and culture rather than exacerbate them, as evidenced by a recent legal case where a Canadian judge specifically warned a violent offender that under no circumstances was multiculturalism to be read as an excuse for committing crimes against another person.\textsuperscript{415} Unlike the German cases discussed previously, where individual judges were left with the authority to interpret the value of cultural expectations on their own, Canadian multiculturalism provides a set of guidelines for the legal limits of the policy and the rights of the individuals it governs. In essence, by stating what multiculturalism is, Canada has also by default stated what it is not, thereby laying out crucial distinctions around culture, values and the limits of law – a possibility Okin never considers in her assessment of multiculturalism as a singular and largely undefined entity.\textsuperscript{416} This does not mean that all conflicts between gender and culture have been resolved, but that the underlying philosophical commitments of Canadian multiculturalism provide lawmakers and citizens with direction in interpreting rights and responsibilities that is not always as clear in other nations.

There are a number of issues around multiculturalism and gender that are worth clarifying, especially given the level of public misperception around the policy’s capacity to promote patriarchal cultural practices in ethnically framed communities. Firstly, multiculturalism has no authority to guarantee freedom of cultural practice, only to "foster" and "promote" it. Secondly, many of the incidents of culturally supported gender discrimination are actually cases of religion-based gender discrimination, which is an issue for the human rights code, and (as this chapter will show) has little directly to do with multicultural policy. Thirdly, even given the guarantee of religious freedoms provided in the Charter, this does not present a legal loophole whereby gender-based assault and other types of legally regulated discriminations are permitted. (Daily practices
of discrimination that fall outside the purview of Canadian law will be discussed in a later section.)

5.3.1 The Limits of Multiculturalism's Legal Authority:

There is a deep contradiction in the arguments surrounding the limits of multiculturalism's authority: when viewed through the lens of establishing rights for ethnically framed groups, multiculturalism is attacked for being a weak policy without any real authority; when viewed through the lens of gender, it is attacked for enabling gender discrimination. These two positions are effectively incompatible in the realm of legal authority in Canada, and reveal how selectively both academics and the public approach ethnically framed women either as members of an ethnic group (no rights) or as women (ethnic group has rights to oppress you). Neither reading is a good place to begin a discussion on how to advance the rights of ethnically framed women.

While multiculturalism has a level of persuasive authority in social circumstances, the policy itself has effectively no legal "teeth" to enforce the right to cultural practice – a challenge that will be discussed at length in the following chapter on multiculturalism and cultural rights. The Canadian Multiculturalism Act relies on language that is vague, enthusiastic, but legally without force; its authority is to "foster", "encourage", and "promote", none of which guarantees the right to cultural practice of either an individual or a community. In fact, the strongest language in the Canadian Multiculturalism Act is the language around equality before the law. The first line of the whereas clauses reads, "Whereas the Constitution of Canada provides that every individual is equal before the law, and has the right to equal protection and benefit of the law without discrimination..."417 This sentiment is repeated under the adoption of policy points, which reads, "It is hereby declared to be the policy of the Government of Canada to ensure that all individuals receive equal treatment and equal protection under the law, while respecting and valuing their diversity."418 While gender is not specifically stated here, the reference to equal protection under the law is certainly no claim to a philosophical position whereby abuse of the law or of another individual will be tolerated
on the grounds of culture! It would take an extreme reading of the idea of “equal treatment under the law, while respecting and valuing their diversity,” while openly ignoring other sections of both the policy, including those parts of the same line that refer to equal protection before the law, to assert that Canada legally permits gender-based discrimination on the basis of wording in the Canadian Multiculturalism Act. Additionally, the dependence of the “whereas” clauses on the pre-existing Canadian Charter of Rights and Freedoms locates the authority of the multicultural policy there, rather than within the policy itself.

In the Canadian Charter of Rights and Freedoms there is only a single reference to multiculturalism. It states, “This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.”

Augie Fleras, who has written a number of books on multiculturalism, argues that this clause can be used in order to justify a broad variety of violent acts, including gender assault, child abuse and elder abuse. According to Fleras, “immigrants, in their defense, can potentially wrap themselves in Section 27, the multicultural clause, to deflect what they see as the unwarranted intrusion of the state into their cultural affairs.” Problematically and without providing any evidence that such abuses of the Charter have occurred, Fleras contends that immigrants, out of ignorance of Canadian law, may be led by this clause to believe that they can commit acts of gender-based violence; however, this makes no sense given that anyone who was familiar enough with Canadian law to locate this clause would also have access to the immediately surrounding clauses that negate such a reading of the law. Fleras concludes, “There is a fundamental contradiction between promotion of multiculturalism in Canada and the protection of women’s equality rights as set out in the Constitution.” This statement effectively determines that the two are mutually exclusive, which is not only an inaccurate reading, but also a highly racialized one.

In his interpretation of the Charter, Fleras seems to have entirely discounted section 28, which reads, “Not withstanding anything in this Charter, the rights and
freedoms in it are guaranteed equally to male and female persons. It is no accident that this line is arranged immediately following the line about multicultural heritage, which in itself is so vague that it could not possibly constitute any claim that the Charter guarantees the right to a practice such as spousal assault on the grounds that it is part of someone's cultural heritage. This argument holds no legal weight for ethnically framed groups, just as it holds no weight for historically dominant groups, who could conceivably also claim a heritage of permitting spousal assault! Fleras's position on this does not defend the rights of women; rather it selectively reads the Charter in order to racialize immigrants, and to stereotypically reinscribe gender-based assault as a practice imported by ethnically framed groups. To conclude that multiculturalism and gender equality cannot coexist under Canadian law is tantamount to concluding that the culture of the historically dominant group is the only one capable of delivering gender equality, and therefore the only one permitted to coexist with Canadian law. (By extension, to acknowledge that spousal assault and other forms of gender-based discrimination occur in all cultures including those practiced by historically dominant groups would be, under Fleras's reading, to understand that no one of any culture could live in Canada.) In essence, it is not multiculturalism and Canadian law that Fleras reads as incompatible; it is his perception that all ethnically framed groups, which he elides as immigrant groups, are fully committed to gender abuse as a way of life and are subsequently incompatible with "Canadian" values.

Setting aside the problematic nature of Fleras's connections between ethnicity and gender-based violence, his position on the authority of this single clause is not shared by legal experts. On the contrary, the legal perspective appears to be the exact opposite of Fleras's notion about the authority this line holds. According to Mr. Justice Tarnopolsky, a professor of law, a justice, and an expert on the Charter, "The first thing that can be noted about s. 27 is that it is impossible to visualize what a court could grant pursuant to that section alone. Section 27 is a purely declaratory or interpretive provision. It has been seen as being somewhat similar to the preamble or an "aims" provision which are not legally binding in the narrow sense." This position is shared by Evelyn Kallen, who frequently points out how damaging the lack of authority in this section is to securing
increased equality for ethnically framed groups. Clare Beckton, professor of law and newly appointed Coordinator of the Status of Women Canada – in short, a highly respected scholar and activist with far more knowledge of the law than Fleras – insists that when different elements of the Charter are read together, the discrimination potential of section 27 is mitigated by section 15, which asserts, “every individual is equal before and under the law, and has the right to the equal protection and equal benefit of the law without discrimination.” In short, while section 27 points in a direction of interpretation and has, as Justice Tarnopoly says, “great psychological value in giving government and the people (direction),” the section has virtually no clear and binding legal authority. As such, it can neither be used as a means of committing assault without consequence, nor as a means of securing further substantial rights for ethnically framed groups. While the former limitation is valuable, the latter is potentially harmful to the scope of equality ethnically framed people might hope for under the Canadian Multiculturalism Act. (It will be the work of the next chapter to expand on how cultural rights might potentially be increased under multiculturalism without compromising the principles of human rights.)

5.3.2 Multiculturalism versus Freedom of Religion:

There are cases where apparent contradictions exist between Canadian law, gender equality and cultural practices, but these problems almost always come down to conflicts between the guarantee of religious freedom and the guarantee of gender equality. They are, in actuality, not located in the Canadian Multiculturalism Act; they reside in the UN Universal Declaration of Human Rights (1948), the Canadian Human Rights Act (1977) and the Canadian Charter of Rights and Freedoms (1982), all of which predate the Canadian Multiculturalism Act and carry more legal weight than multiculturalism. Significantly, conflicts between freedom of religion and gender equality occur in all nations that have adopted human rights legislation based on the UN Universal Declaration of Human Rights; these conflicts are in no way limited to nations that have multiculturalism policies. Additionally, as evidenced above – and discussed in more detail in the following chapter – even with an official multicultural policy, there is no
such thing a clearly defined right to cultural practice in Canada. Culture is supported, encouraged, fostered and appreciated through multiculturalism, but never defined and never guaranteed as a human right, or as any other sort of right. As Evelyn Kallen states in her review of the legal authority of the *Canadian Charter of Rights and Freedoms*, "Charter s.27 mentions the 'multicultural heritage' of Canadians, but the vagueness of this provision leaves its interpretation entirely in the hands of the courts. Certainly, s.27 affords no positive protections for minority rights, as this provision neither specifies nor defines the nature of rights alluded to." Kallen defines positive protections as the obligation on behalf of the state to actively "guarantee the full exercise of rights," in comparison to negative protections, which only require non-interference by the state.

There are problems in the all-too-often made slide between religion and culture. Although religion informs culture, and vice verse, the two should not be directly equated. Religion is based on a set of codified practices that can be located in literature and oral tradition, and while cultures may incorporate aspects of religion, they are far less codified entities with blurry edges and complex variations of practices, some of which are highly regionalized. However, in popular discourses, there is a high level of interchangeable use between the two, which contributes to the idea that it is multiculturalism's problem when there are legal cases where gender and religious beliefs appear to conflict. While there is overlap between culture and religion, in terms of the Canadian courts the matter rests on which entity an individual appeals to in order to locate the authority behind a specific act. Because freedom of cultural practice is not a guaranteed right, most cases rely on human rights appeals to freedom of religion.

5.3.3 Freedom of Religion versus Gender Equality:

On the surface there may appear to be contradictions between gender equality and legally endorsed religious practices, but these contradictions can be theoretically resolved through a close reading of how far freedom of religion extends, and through the difference between equal treatment and equal protection before the law.
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The perception of conflict between gender and religion opens the door to the idea that human rights must be prioritized in order to function properly; in essence, there must be a clearly defined statute that gender equality trumps religious freedom when the two are in conflict. However, while such a stipulation may be useful when religion and gender rights appear to conflict, in actuality, there is no need for such a stipulation because of the very nature of human rights as individual rights. As Evelyn Kallen clarifies in her review of ethnicity and human rights in Canada, “Individual rights can be said to be inalienable, but in their exercise they are not absolute. For the exercise of each person’s individual human rights is conditional upon the non-violation of the rights of others. Human rights thus entail social responsibilities: each human being must respect the human rights of others.” While freedom of religion is guaranteed under Canadian and International law, the design of this freedom is to ensure that no individual is unjustly punished for practicing their religion – the exact opposite of its design is to give an individual the right to extend their beliefs over another, for to permit this would be to guarantee freedom of religion only to those who had the power to impose their beliefs, something fundamentally opposed by the foundational philosophy of human rights.

Gender equality is protected under Canadian law (and in the *Canadian Multiculturalism Act*) by the very fact that religious freedoms are guaranteed. While these rights may seem contradictory, they are in fact complementary, as long as the interpretation of these rights as individual rights is maintained. This presents an understanding of a person’s freedoms as extending only as far as one’s own body, liberty and security, and not over the body, liberty or security of another. Freedom of religion means that someone may practice as they like and do as they like to their own body, but equality before the law, including security of person, means that they cannot do what they like to another person’s body. Freedom of religion is a slim envelope that extends only as far as the limits of one’s own person. The very fact that freedom of religion is granted to an individual is a guarantee against that individual using their freedom of religion to compromise another person’s freedom. There are as many parcels of freedom of religion and security of person as there are people in the world, which of necessity theoretically precludes an individual from seeking to hold freedom of religion over more than just their
own body. The individual, universal and (theoretically) inalienable nature of these rights prevents anyone from extending their beliefs in such a way that they infringe on the security and protections of another.

It is for this reason that freedom of religion is not an invitation to permit religiously motivated murder or gender-based abuse; indeed, such an act would be an extension of one individual's concept of freedom over another person's lived experience of freedom. In addition, such an act violates other articles of Canadian and international law, which guarantee security of person and equality before the law. One person's right to freedom of religion not only does not extend to authority over other people, but it also does not negate legal clauses on other people's rights to security of person. Both rights are guaranteed. Logically, one could not appeal to have a reduced sentence for assault or murder under the religious rights guaranteed by the Charter, when the manner in which an individual has exercised these rights has violated other aspects of the Charter. One may not pick and choose aspects of the law that suit one's own situation — the law must stand for everyone, in its entirety.

Because Canadian law is guaranteed equally to everyone regardless of gender, in any appeal for a reduced sentence on the basis that gender-based assault is a religious right, the onus is on providing proof that religious discrimination has taken place in denying an individual the right to freedom of religion. However, when interpreted through individual rights, the very concept of proving discrimination based on religion actually protects against gender discrimination rather than encourages it. Nationwide restrictions on spousal assault do not discriminate against one religious group or another; however, permitting spousal assault to some groups and not others on the basis of culture or religion is a violation of a woman's right not only to equality, but also to not face discrimination in protection on the basis of religion. It is not a violation the right to equality before the law regardless of religion if all men are equally forbidden to commit spousal assault; however, it is a violation of the right to equality before the law without discrimination based on religion if these crimes are permitted against women of some religions and not others. The important principle here is to view the "freedom from
discrimination" principle primarily from the perspective of the one who has been harmed, rather than from the perspective of the one who has done the harming. In this context, it is critical to be aware of and to counter society’s tendency, unconscious or otherwise, to preference a man’s perspective over that of a woman.

Therefore, on close examination, there is no conflict between religious freedom and the right to gender equality in the Canadian legal system, as long as these rights are understood to be individual rights, extending only as far as one’s own person, and never over another human being, who logically has their own rights over their own body. (This issue is complicated by matters of consent, particularly when minors are involved, and will be discussed in the following section.) When the dilemma of religion versus gender is examined closely, rather than freedom of religion equaling gender discrimination, it is actually the reverse that proves to be true: discrimination based on religion (against the Charter of Human Rights and Freedoms) occurs when women are subjected to differentiated standards of protection because of their religion or the religion of others; it does not occur as a result of holding individuals of different religions equally accountable before the law. Ironically, in this sense, freedom from discrimination based on religion can only be achieved by ignoring rather than indulging the religious ‘freedoms’ that occur when individuals attempt to extend their own beliefs over the bodies and rights of others.

In this sense, one could consider the case of a single family to be a miniature of Kymlicka’s concept that group rights for reasons of external protections are consistent with liberal human rights, while group rights designed to impose internal restrictions on members are not. The religious freedom of a family unit should be guaranteed insofar as that freedom acts to protect the family from external efforts to prevent religious practice, but should be limited in the sense that individuals in the family could not seek to use religion to impose restrictions on other family members that are inconsistent with gender equality as it manifests through the principles of Canadian law.
5.3.4 Multiculturalism and Legal Consent:

The issue of freedom of religion in a family setting highlights one of the most complex aspects of human rights: the issue of consent, or the voluntary suspension of certain rights and freedoms in the name of religion or personal belief. Who is able to give consent? More complexly, when does the state have the right to intervene despite an individual’s consent to suspension of rights?

These issues have recently been crystallized around two cases: the Bountiful debates around right to polygamy; and the Jehovah’s witness quintuplet case in Vancouver in the spring of 2007, where the Province seized some of the children in order to administer blood transfusions against the will of the parents after one of the children had died. While those outside the religious communities in question may regard these issues as fairly straightforward by their own value judgments (polygamy is against Canadian law; the children needed the blood transfusions to survive) the issue of consent highlights the complexity of these cases. While against the law, polygamy is a matter of consenting adults, whose human rights to dignity, equality and freedom are potentially not violated as long as full consent is given to the arrangement. But under the religious directives followed by the Bountiful community, polygamy is the only form of multiple-marriage permitted; polyandry, or a wife taking multiple husbands, is forbidden. While potentially this points to gender discrimination, Canadian law does not compel religions to conform their values to same treatment of men and women, and so this could not be used in the Bountiful case as a rationale. One might also argue that the equality or dignity principle is violated because of the situation, but again, Canadian law does not interfere in the sexual lives of other adults with multiple long-term partners on the grounds of dignity or equality; it seems rather odd to condemn in marriage what is permitted in common law or casual arrangements. However, what the Bountiful case does raise is the concern about whether or not full and capable consent has been reached. Within a closed community, with limited access to education, do women have the capacity to make an
informed choice, particularly given the extremely young ages of many of the wives? The B.C. Human Rights Tribunal has recently determined that it does not have the jurisdiction to hear the case, so Canada must wait a little longer for this important precedent on the capacity of an individual to consent to an arrangement in violation of Canadian law in a manner that does no harm to others and potentially does not violate the principles of human rights based on equality, dignity and freedom.

While the Mormon leaders of the Bountiful community maintain that their wives are of age (something contested by some critics of the practice), this is not always the case in matters of religion and consent. In the case of the Jehovah’s witnesses who sought to refuse medical treatment for their children on religious grounds, the babies could clearly not give informed consent. In this case the Province’s actions were motivated by the distinction between a child’s and an adult’s capacity to give informed consent to refuse medical treatment (something honoured by the state except in assisted suicide, which is denied as a right because it is read as an action towards death rather than just a refusal to prolong life). From the parent’s perspective, their religious beliefs extend over the bodies of their children, thereby implying the refusal of medical aid on behalf of each child; however, from the perspective of the provincial health authority, a minor is not able to consent to refuse treatment, and the parents are not in a position to extend religious beliefs over the body of the child in a manner violates her or his security of person. Additionally, it must be considered that there is no guarantee that the children will grow up to be Jehovah’s witnesses, sharing the same views on their lives in connection with life saving medical intervention. As Colin Macleod, a scholar who works on identity and child rights, says, “we cannot simply assume that the identity claims of children are parallel or even compatible with those of their parents or the community into which they were born... We have reason to guard against the conflation of identity interests and the associated conflation of adults’ and children’s identity claims.” In a broad review of the issue of child identity in connection to rights, Macleod asserts, “Most importantly, parents cannot cite their interest in transmitting an identity to their children either as a grounds for denying children access to the social and educational conditions that are conducive to the development of moral powers or as a grounds for compromising
the basic welfare interests of children." In short, when parents’ desires for the identity of their child go head to head with a child’s well being, medically, educationally or socially, the child’s well being takes precedence. Avigail Eisenberg, commenting on the work of Colin Macleod, similarly observes, “Children do not choose their religious or ethnic communities, nor can they leave communities that oppress them, so liberalism’s usual methods for sorting out how to protect individuals from oppressive communities are not available to children, and this leads to questions of how children’s identities should be understood.”

The issue of minors and informed consent reveals that there are careful limits on the concept of religious freedoms. Just as a man may not extend his religious beliefs over the body of his wife in a manner that violates her security of person, parents may not extend their religious beliefs over their children in a manner that risks their lives. (However, as a later section of this chapter will explore, it is far harder to make boundary distinctions in cases of more minor disciplinary actions on behalf of parents, i.e., those considered to be of a non-human rights violating scale.)

What is essentially at the heart of these cases is who owns the rights to a human body – the person, the state, or the parent? In the Bountiful case, the limited risks to the person seem to be mirrored by a limited response from the state – no prosecutions have taken place on the grounds that Canadian laws against polygamy are being broken. In the matter of refusal of medical treatment, the state acknowledges the right of an adult to refuse state intervention in life, but does not recognize a person’s right to her or his own life in terms of the capacity to end it – the right to protect one’s life is currently read as a human right while the right to harm one’s life is not. Similarly, if a woman does not wish to press charges for spousal assault, the state may still do so, retaining the right to prosecute an individual for violating someone else’s human rights, regardless of whether or not the person who has had their rights violated feels that they have been, i.e., if a wife also believes religiously or otherwise that any shortcomings on her part in a marriage may warrant corporeal punishment. In the case of a child, the state recognizes parental rights to religious practice in the home and over the child’s body as long as that practice
is not considered to violate security of the child’s person, i.e., circumcision is allowed; refusal of life saving treatments is not. So the life of a child is jointly held in the hands of the state and the parent until that child comes of age, in a manner consistent with the child’s rights (as outlined in the UN Convention on the Rights of the Child.)

In the final analysis, careful limits and directions have been established that permit freedom of religion to coexist with equality and protection under the law. While the system itself may remain gendered and racialized, the values themselves are not as obviously incompatible as some would contend.

5.3.5 Equal Treatment versus Equal Protection Under the Law:

So far, the discussion has focused on disproving the assumption that cultural practices or religious freedoms lead to gender-based discrimination permitted by Canadian law. However, there is another important distinction to make here – one which will factor into discussions in the following chapter on cultural discrimination that is embedded in Canadian law. This distinction is the difference between equal treatment and equal protection under the law, as it appears in the Canadian Multiculturalism Act,434 and the legislation upon which it is based in the Canadian Charter of Rights and Freedoms.435 It is crucial in this context to understand different levels of religious and cultural practice that fall under the purview of the law, i.e., murder versus the right to wear a hijab in court appearances. Again, the key is to differentiate between universal access to the principle of law and universal adherence to the manifestation of the law. In a murder or abuse trial, a defendant’s right to equality before the law is not violated by holding that individual accountable as any individual would be held accountable, but a victim’s rights to equality before the law is violated if the perpetrator of a crime against them is not held accountable for religious reasons. This constitutes equal protection before the law without violating the principle of equal treatment. Alternatively, a woman who is forced to remove her hijab in order to appear in court436 is subjected to discrimination based on the cultural manifestation of the principle of law, the principle being the requirement that individuals mark respect for the court through a sign of
humility, and the cultural manifestation of the law being the Euro-Christian standard of baring one’s head. Here there is no question of equal protections under the law to consider, but the principle of equal treatment under the law, while respecting and valuing diversity, has been violated. Thus, while gender equality and freedom of religion may not be in conflict under Canadian law where individuals are concerned, this does not alleviate the matter of the state itself holding cultural and religious values embedded in law that can negatively impact an individual’s access to equal treatment. Fortunately, while these instances do occur, there are also mechanisms by which they can be contested and rectified – namely, through appeals to the Canadian Human Rights Commission and the Canadian Human Rights Tribunal.

5.4 Multiculturalism, Gender and Daily Life:
Culture Outside the Limits of Law

While legal limits around the conflicts between culture and gender may be generally well (although not perfectly) defined, what is more difficult is multiculturalism’s role in the “softer” side of daily life – in all the actions that are so small they are not regulated by the state, but over time add up to a significant set of behavioural and attitudinal social practices. For example, while multiculturalism does not permit a man to hit his wife regardless of any religious belief he may have about his entitlement to do so, the policy does not prevent that same individual from making misogynistic statements about her value as a human being or from educating female children to accept patriarchal norms about limits on women’s potential and self-worth. Hate speech and freedom of speech are not nearly as carefully balanced for many reasons: hate speech tends to be associated with race and religion and not gender; it is difficult to determine what is and is not hate speech towards women when so much of society is still rooted in patriarchal assumptions; and it is extremely difficult to monitor and prosecute someone for hate speech even in the most extreme of cases, leaving everyday language effectively impossible to intervene in, except preventatively through education.
Chapter 5: *Gender and Multiculturalism*

It is in the everyday realm that multiculturalism faces its most valid critique that the policy in someway permits the spread of cultures that do not equally value women. But even here, how fair is this association? Is it based on a valid criticism or shortcoming in the policy's philosophy or implementation, or is it the result of inaccurate media and popular interpretation?

As demonstrated in chapter four, multiculturalism in Canada has been many things over the years, and therefore the answer to the above questions remains a mixed response. However, there are important things that need clarifying in multiculturalism's defense. Firstly, multicultural policy should not be confused with demographic multiculturalism, whereby people from different cultures come to Canada and hold daily values - this is a matter of immigration and basic rights, and is a situation faced by countries that do not have official multicultural policies as well as those that do. It is illogical (although far too easy) to attribute to Canadian multiculturalism what is in fact the expansion of demographic diversity, and subsequently, cultural diversity. Although the aim of the policy is to protect the right to cultural practice (within the limits of the law) it cannot be held responsible for the very fact that diversity is present. Nations all over the world, including the United States and France, struggle with issues of patriarchy and gender in connection to immigration, as well as within the historically dominant group. It would therefore seem unfair to blame state-sponsored multiculturalism for permitting patriarchal cultural practices within ethnically framed groups when this condition exists all over the world.

Secondly, multiculturalism is not designed to stop patriarchy in ethnically framed groups any more than it is designed to stop patriarchy in historically dominant groups; while the policy itself must promote gender equality, it cannot be used as a conversion mechanism for the state to forcibly reshape the values of cultural groups. To attempt to use multiculturalism as a means of compelling value changes would go against the progressive anti-racist steps the policy has taken in recent years. However, this does not mean that multiculturalism cannot be used to open up intercultural dialogues, celebrate the values of ethnic and gender equality, and educate society at large about ways of
valuing women. While multiculturalism is not a conversion tool, it is an opportunity to embrace people of all cultures into the mainstream, particularly youth who will shape the next generation of Canadian values.

The educational potential of multiculturalism (when done well) ties into the third point that multiculturalism does not inherently create opportunities for more extreme forms of patriarchy, but that this extremism thrives in an environment of isolation, particularly when this isolation has racial discrimination as part of its root cause. In this sense, an active, anti-racist multicultural policy may in fact reduce rather than support highly patriarchal values and practices. If one examines what has happened in the Western world in the last five years, it is clear that there has been an expansion of religious fundamentalism. Yet the root cause of this can hardly be said to be state-sponsored multiculturalism because it is occurring in many Western nations without multicultural policies and in a time when many nations with state-sponsored multiculturalism are reducing the scope of their policies. Fundamentalism is not something that spreads easily in an environment that actively seeks to include and empower all members of society regardless of gender, ethnicity or race; it is frequently a response to disempowerment and lack of inclusion. Fundamentalist movements ultimately rest on gaining support from youth who are disillusioned with their place, and subsequently turn their passion for life towards rejecting a system they see as unjust. The best way to prevent fundamentalism, and the subsequent shift towards patriarchal extremism, is to actively and genuinely to seek to include all members of society. Here state-sponsored multiculturalism can be a great asset, but only if done in manner that seeks to include all, occasionally agree to disagree, and generally build dialogue and inclusion rather than isolation based on the racialization of difference. It is in this context that Canadian multiculturalism, while still imperfect, excels and British multiculturalism appears to be faltering. The varying levels of success can be traced directly to key decisions in the policies' designs (discussed in chapter four) whereby Canada has opted for active inclusion, and Britain has used the policy to highlight the difference between "ethnicity" and Britishness. In this sense, it may indeed be true that poorly designed multicultural policies contribute to the spread of extreme patriarchy because of their
tendency to foster ethno-cultural isolation – something Canada should remain mindful of and strive harder to avoid. Alternatively, inclusive multiculturalism, if geared towards education, anti-racism and youth involvement for all groups, represents a remarkable opportunity to combat fundamentalism, educate about gender and racial equality, and offer cross-cultural dialogue about value systems.

The West has long practiced essentialism with regard to other cultures, and from this position emerges the idea that if demographic multiculturalism permits the importing of extreme patriarchy, then there should be an immigration solution to the matter. The argument has been made that people who come from heavily patriarchal cultures (where women’s basic human rights are not upheld either by culture or the law) should not be permitted to enter Canada. Similar arguments are heard in Europe at the moment, most strongly from France, Germany, Britain and the Netherlands. But such an attitude does nothing to assist women in those immigrant communities; denying people the right to immigrate on cultural grounds simply confirms that women of these communities will experience the same conditions, but out of sight and out of mind for those in Western nations.

In this sense the failure to delineate multicultural policy from demographic multiculturalism is particularly harmful, because multicultural policy done well may actually offer a broad range of tools for increasing these women’s access to education, autonomy and financial security (something Canada is currently achieving with mixed success). Even with multicultural policy, as many studies have shown, ethnically framed women face significant barriers and enjoy impartial access to employment, society, education, and political participation. However, without multicultural policy as it is in Canada, or anti-racism policy as it is in Britain, even with immigration to a Western nation, women face extreme racial barriers to social inclusion that prevent them from accessing equality or a shift in family/cultural value systems. When an “immigration solution” to the issues of the spread of patriarchal practices is considered, it is clear that such a tactic can hardly be said to be in the best interests of women who might come to live in excessively patriarchal communities “imported” to Western nations. Reducing
immigration from highly patriarchal cultures does not eliminate the problem – it simply makes it someone else’s.

As a final note to the discussion of multiculturalism and the spread of extreme forms of patriarchy, it must be pointed out that the unquestioned attribution of patriarchy to ethnically framed cultural groups is dangerous for everyone. Real-life discrimination must be acknowledged, but not in a manner that essentializes or reinscribes colonial interpretations of inherent inferiority. The absolute worst thing that can happen for women’s equality in Canada is the automatic equation of gender discrimination with ethnically framed groups. Such a move builds walls instead of dialogues between communities, invites racism from the historically dominant group, encourages fundamentalism as a mechanism of defense amongst ethnically framed groups that are increasingly isolated, promotes ignorance amongst communities on all sides of the debate, makes abuse a matter of ethno-cultural entitlement, discounts abuse in the historically dominant group, and above all else, gives ethnically framed women nowhere to turn. Women cannot seek assistance from outside their community without encountering the racialization of their experiences, and they cannot seek assistance within their communities with any degree of security. Multiculturalism, if founded on a philosophy of inclusion and anti-racist equality, can be a mechanism for fighting stereotypes, sharing information, and preventing the type of racism that leads to fundamentalism. Alternatively, multiculturalism based on a philosophy that invites essentialism also invites fundamentalism. While Canadian policy appears more successful that its multiculturalism peers at fostering dialogue and inclusion (as evidenced by the collapse of other policies in large part due to their failure in the eyes of the public and the government to achieve this aim) it remains far from perfect, and must continually strive to eliminate lingering philosophical aspects of the policy that reinscribe the unequal authority of the historically dominant group at the expense of the dignity of ethnically framed Canadians. Additionally, a core ongoing challenge of multiculturalism is to ensure that the policy framework and implementation are consistent with positive philosophical commitments to equality and inclusion – something that remains an ongoing struggle for all Western multiculturalisms.
5.5 In Conclusion

Despite popular conceptions, Canadian multiculturalism is neither incompatible with gender equality, nor a rationale to permit abuse. Many of the concerns that are attributed to multiculturalism are actually a product of potential conflict between the human right of freedom of religion and the right to gender equality before the law. Even within this conflict, resolution is possible without either ranking one right as higher than another, or compromising the validity of one to support the other. The conflation of cultural practice and gender oppression acts to limit multiculturalism's capacity to ensure advanced equality, creating ethno-cultural and racial divides based on the essentialization of values in the very space that multiculturalism seeks to repair divides, foster dialogue and eliminate racism. Subsequently, while a survey such as the Globe and Mail's piece entitled “Multiculturalism vs. Gender Equality” may be entertaining to some, it promotes ignorance around a goal that is already challenging enough – the establishment of an equality-based, anti-racist, peaceful civil society.

While the implementation of any policy is critical to its success, first and foremost a policy must contain a philosophical commitment laying out the values it hopes to achieve. The charge laid against multiculturalism is that it is foundationally and practically incompatible with gender equality. This accusation is not only unfounded in a Canadian context, but contrary to the direct philosophical underpinnings of Canadian multiculturalism, which prizes gender equality in a manner that is compatible with human rights, without compelling assimilationist adherence to the daily norms and value systems of historically dominant groups. It is this philosophical commitment, and the subsequent policy programs and frameworks it enables, that gives Canada a strong position from which to promote gender equality not only for women of the historically dominant group, but also for ethnically framed women without compelling them to compromise gender equality or their cultural practices.
Rather than encouraging patriarchal practices under the rubric of cultural retention, a strong multicultural policy may achieve the opposite – a reduction in negative attitudes about gender through increased intercultural dialogue, and a reduction in fundamentalism through the fostering of inclusion, acceptance and anti-racism. Instead of giving unqualified access to practice gender inequality, state-sponsored multiculturalism provides a framework within which to tackle these issues, without which nations may interpret cultural expectations in a manner that sacrifices gender equality to Western concepts of essentialism, as illustrated by Germany in certain recent legal cases. What matters is not that attitudes in favour of extreme patriarchy exist; it is whether these attitudes are encouraged or refuted that counts. Multiculturalism done poorly can exacerbate gaps between ethnically framed groups and the mainstream, leading to fundamentalism, isolation and worsening of the situation. Multiculturalism done well produces the opposite – inclusion, dialogue, hybridity, value sharing, understanding, and peaceful coexistence based on principles of equality, both ethno-cultural and gendered. Currently, there is no nation in the world that can claim to be doing multiculturalism exceedingly well – Canada is currently the closest to a nation fully committed to multicultural equality, but this should not be read as an opportunity for the country to sit back, congratulate itself, and assume all is ideal. It is an invitation to further improvement, based on a solid and encouraging foundation. In the spirit of this aim, the next chapter examines how the right to equality of cultural practice could potentially be expanded in Canada in a manner parallel to the right to freedom of religion – a right that would comparably be held to the limits set on freedom of religion that prevent it from being used as an excuse for gender-based violence and other patriarchal practices of inequality.
Endnotes:


392 ibid.


398 ibid. p.151


402 Canadian Multiculturalism Act, section 1(e)


404 ibid p.36


407 ibid p.37


409 ibid. p. 283


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417 Canadian Multiculturalism Act

418 Canadian Multiculturalism Act, section 1(e)

419 Canadian Charter of Rights and Freedoms, section 27


421 ibid

422 Canadian Charter of Rights and Freedoms, section 28


425 Beckton, p.13 from multi and the charter; also charter, section 15.

426 Justice Tarnopolsky from multi and the charter: a legal perspective


428 ibid 87

429 ibid p.78


432 ibid. p.150


434 Canadian Multiculturalism Act, section 1(e)

435 Canadian Charter of Rights and Freedoms, article 15.1

Human Rights, Group Rights... Multicultural Rights?
Furthering Advanced Equality in Canadian Policy

In her work on Canadian multiculturalism, Audrey Kobayashi observes that there have been three significant stages in the evolution of the policy: demographic multiculturalism, or the time prior to the establishment of the policy; symbolic multiculturalism, or the time immediately following the establishment of multiculturalism as an official policy; and structural multiculturalism, following the establishment of constitutional commitments to multiculturalism and other forms of equality such as employment equity. Kobayashi characterizes this latest stage as “the institutional shift from multiculturalism as heritage to multiculturalism as equality rights.” However, while these categories are useful, the structural or equality rights stage requires further subdivision. Arguably, thus far Canada has employed a rights based multiculturalism that has been largely aspirational or persuasive in nature, relying on the goodwill of Canadians to make use of the policy, and that the movement towards authoritative rights based multiculturalism is yet to come.

The previous chapter illustrated how multiculturalism in its current form does not have the authority to ensure freedom of cultural practice. But what if Canada decided to grant this authority to the policy, making it part of multiculturalism’s foundational philosophy? Would gender equality then be placed at risk? Arguably, the same limits placed on freedom of religion could theoretically be applied to freedom of cultural practice, thereby safeguarding gender equality. But what would such a system of rights look like, and is it not already within the scope of existing human and group rights in Canada?

The intent of this chapter is to explore how human rights and multicultural discourses interact in shaping the fabric of Canadian diversity, in the hope of illuminating a possible path forward from persuasive to authoritative multicultural policy. Through an examination of unprotected rights to freedom of cultural practice that fall through the cracks in both human and group rights discourses, a proposal for a third type of
mechanism for promoting equality emerges – a theoretical system of multicultural rights that would be specifically designed to ensure equality of cultural practice between historically dominant and ethnically framed groups. This proposal rests on separating the deep principles of justice contained in Canadian law, policies and conduct codes from the cultural manifestation of these principles, and subsequently questioning how diversity of cultural manifestations could become acceptable in Canadian society without automatically abandoning the deeper principles. The intention behind this analysis is not to compromise the heritage of Canadian society, but to illuminate spaces where the cultural norms of historically dominant groups have come to be synonymous with deeper principles of law and policy to the extent that other cultural manifestations of the same deep principles are currently read as incompatible with them. Multicultural rights would not be about seeking additional rights for ethnically framed people in addition to those enjoyed by people of historically dominant groups; they would be about identifying and rectifying locations in Canadian law, policy and daily practice where group rights to exclusive centrality are already in place for the historically dominant group at the expense of equality of cultural practice for other Canadians. This chapter outlines the need for a new way of thinking about rights in a multicultural context, and proposes a framework for this rethinking. It explores some of the possible applications of multicultural rights, using the intersection of gender and culture to pose questions about the limits and gaps in current multiculturalism. More specifically, it outlines locations where the current policy lacks the direction and authority to produce inclusive equality.

6.1 Legal Limits on Multiculturalism and Freedom of Cultural Practice

As it currently exists, Canadian multiculturalism is a policy that attempts to direct attitudes and approaches to diversity; it is not a forceful legal mechanism for ensuring that people and institutions are held accountable for discriminatory acts and decisions. In and of itself, the Canadian Multiculturalism Act, as well as its surrounding policies, have neither the "teeth" for compelling enforcement of anti-racism measures or the capacity to censure those unwilling to adhere to them. Instead, the legal authority to respond to discrimination resides in other areas of Canadian policy, such as the 1977 Human Rights
Chapter 6: Multiculturalism and Human Rights


What are the ramifications of multiculturalism’s dependence on human rights, particularly given that there is virtually no reference to cultural protections in the 1982 Canadian Charter of Rights and Freedoms? The Charter fails to list culture as either a guaranteed freedom or a specific right, an omission mirrored throughout other Canadian acts and policies. More disturbing than this absence is the international void in culture as part of the fundamental human rights package. Indeed, not even the United Nations Universal Declaration of Human Rights specifically lists culture as one of its guaranteed rights, or as one of the criteria under which an individual may seek redress in the event of discrimination. Culture in the Declaration is limited to a highly ambiguous reference to the right to “social security” in relation to “economic, social and cultural rights indispensable to dignity” and a further right to “freely participate in the cultural life of the community,” which notably does not guarantee an individual the right to practice culture in a manner that may be construed as “against the cultural life of the community.”

What is interesting about this absence of clarity is that the international courts and councils within the United Nations do not appear to have nearly as much difficulty producing equal rights from such vagueness as the Canadian court system does. As Cindy Holder points out in her work on culture as a human right, “One worry about this treatment of cultural rights is that it is too open-ended and that statements to the effect that persons must be able to ‘enjoy’ or ‘practice’ their culture are too vague and must be more explicitly and specifically defined to properly serve as a basis for adjudication or policy.” However, as Holder persuasively illustrates, philosophical and national level approaches have tended to treat culture as “an interest in accessing or securing a resource or as an interest in preserving a certain feature of oneself”; whereas alternatively, international human rights discourses at the UN level treat culture as “an interest in doing something, in performing or developing an activity.” In the United Nations context, culture appears as capacity building, participation and, in heightened cases, self-
governance. Because of the different approaches to culture, Holder argues that international human rights discourses are able to give more weight to cultural practice, and subsequently more protection, whereas in Canada, cultural practice is held to be a lighter matter of ensuring one’s heritage and individual identity, often in private rather than public spaces. Holder’s position is supported by a number of international court decisions on cases previously rejected by the Canadian court system, whereby the right to culture as active participation in a community of peers was upheld. In particular, this has been the case with a number of high-profile decisions around Aboriginal rights, including *Lovelace vs. Canada*, where an Aboriginal woman successfully appealed to an international court to overturn gender restrictions in the Indian Act on the grounds that such restrictions were a violation not of her right to equality, but of her and her people’s right to determine membership within their own communities.446

Culture, as a fluid, amorphous term with multiple meanings that can be difficult to codify, opens up a potential political firestorm (particularly around gender issues) and it is therefore little wonder that it is avoided as a fundamental human right in the manner that freedom of religion or freedom of racial equality are guaranteed. However, as this chapter will show, there are many opportunities for daily discrimination that are cultural in nature and are subsequently not easily filed under human rights appeals to religion, ethnicity or country of origin. Although challenging and volatile, the right to cultural practice represents a substantial and as-yet unresolved gap in human rights. In a Canadian context, this absence is made more pronounced by the *Multiculturalism Act*’s indication that cultural practice is an enforceable right – something implied by the enthusiastic language of the policy, but never concretely guaranteed. Clifford Jansen describes the policy as “one of persuasion rather than insistence,” arguing that while most laws have repercussions if they are not adhered to, multiculturalism doesn’t.447 Mr. Justice Tarnopolsky seconds this interpretation, describing Canadian multiculturalism as having significant “psychological value” but effectively no binding legal authority.448

The full limit to freedom of cultural practice in the *Canadian Charter of Rights and Freedoms* is shown in section 27, which states, “This Charter shall be interpreted in a
manner consistent with the preservation and enhancement of the multicultural heritage of Canadians." This section illustrates a fundamental challenge in applying multiculturalism as a policy, and in cultural discourses more broadly: inclusive-sounding statements that obfuscate a lack of clearly defined, legally enforceable boundaries. Jerome Black observes that the wording is viewed by some academics as "enshrining the need for sensitivity to pluralism," yet others, such as multiculturalism and human rights scholar Evelyn Kallen, find the clause "empty" and "unable to guarantee interpretations of multiculturalism with any substance and force." Observing the legal flexibility in its interpretation, Black concludes, "More work needs to be done on the relevance of section 27 itself."

The Canadian Multiculturalism Act is similarly problematic. Although the preamble references the rights and freedoms guaranteed to Canadians under the Constitution, the Citizenship Act and the Canadian Charter of Rights and Freedoms, there is a complete absence of any language of enforcement in the Canadian Multiculturalism Act itself. Lacking any legal authority beyond the establishment of various government committees and reports, the Act instead uses terms such as "encourage", "assist", "foster", "promote", and "recognize." Thus, any discriminatory behaviour on the part of an individual or an institution must be handled by an appeal to one of these other acts, owing to the slippery and undefined parameters of the authority of the Multiculturalism Act.

One of the ways to consider the difficulties around the policy's authority is to look at its aims and functions. Canadian multiculturalism states its most recent (2007) program priorities as: ensuring the participation of ethno-racial minorities in public decision-making; educating the public about multiculturalism and anti-racism, including responses to racist and hate-based actions and speech; eliminating systemic barriers in public institutions, and; developing policies, programs and practices within federal institutions to meet the targets laid out by the Canadian Multiculturalism Act. Arguably, aspects of the policy that describe Canada's commitment to valuing diversity require no more than words, which are readily available; aspects of the policy that seek to
actualize this commitment require money and political purpose, which vary according to government design; and aspects of the policy that seek to ensure that the values of anti-racism and anti-discrimination are upheld require legal authority or "teeth", which the policy does not have. In short, in order for multiculturalism to implement these rights in a concrete way, the foundational philosophy of the policy would need to be adjusted to include the authority that the policy's framework and implementation would rely on to produce active results.

Does this make current Canadian multiculturalism a lame duck in terms of promoting genuine equality? In some ways, it does, and in others it doesn't. Legally, multiculturalism offers little authority to enforce any of the Act's goals, but it does give the government authority to put anti-racism policies in place that promote equality based on the wording of the Act. In the court of public opinion, multiculturalism is a flagship philosophy, which gives it the perception of authority, even if the manifestation of this authority is more political than legal. Additionally, (as discussed in chapter four) the irreversible nature of multiculturalism is a powerful statement about the shared ownership of the policy by historically dominant and ethnically framed groups alike. This places the policy in an interesting and rather unique position, where the nation has effectively given the appearance of promises to Canadians that are in reality aspirations built on persuasive rather than authoritative commitments to equality. Determining how build this authority into the foundational philosophy of the policy without placing it in conflict with other widely held values such as gender equality is a serious challenge confronting the future of Canadian multiculturalism.

6.2 The Problem of "Culture" in Society and Law

One of the core problems in the debate over the legal authority of Canada's multicultural policy is the lack of clear definition around what constitutes culture, and subsequently, what is referred to by the right to retain certain behaviours and beliefs. Cultural practice is frequently based on religious beliefs that predate the separation of Church and state, which is a relatively recent historical development in social
organization. Therefore cultural practice may, from an individual’s perspective, include things such as polygamy, refusal of medical intervention and extreme gender-based restrictions on behaviour – essentially, matters that Canada treats as falling under the jurisdiction of the legal system. Multiculturalism, on the other hand, approaches cultural practice as though it is a simple matter of holidays, food, and dress – items Hage refers to as “soft culture”. Although this is never explicitly stated, the policy does not make reference to those aspects of culture that conflict with the Canadian legal system. This produces an unstated de facto narrow view of culture that makes multiculturalism easy to celebrate, but compromises the viability of the Act and the policy by sidestepping more difficult issues. It also reaffirms Holden’s claim that culture in Canada is read as a matter of passive heritage rather than active participation in a collective.

In essence, the entire Multiculturalism Act has been left without authority independent of that granted by other Acts because to enforce an individual’s unqualified right to cultural practice would be to potentially inscribe into law directly conflicting principles. For example, the government cannot guarantee an individual’s right to commit gender-based violence under multiculturalism and refute it under other legal statutes. In cases such as polygamy, where religious freedoms, consent, and human rights are not so obviously in conflict, the best the government permits is a reluctance to act on existing criminal codes by failing to prosecute individuals (as in the Bountiful case). But the absence of persecution can hardly be considered the same as the legal acceptance of rights to freedom of cultural practice. As illustrated in the previous chapter, it is exactly this lack of authority in multiculturalism that permits the fragile balance of gender equality, legal standards and other human rights to remain in place. However, while this is clearly a good thing in the realm of gender equality, such a broad-spectrum lack of enforceability within multiculturalism can have substantial negative aspects for cultural practice. By failing to differentiate between legal and social aspects of culture, multiculturalism does not infringe on any other Canadian laws, but nor does it offer substantial tools to address the type of ethno-cultural equality that scholars such as Evelyn Kallen have called for. Indeed, it is this failure to do the hard work of defining both culture and the limitations of multiculturalism that prevents the policy from having
the authority to enforce anti-racism initiatives and other aspects of multiculturalism that work to benefit greater social justice, while remaining within the limits of legal parameters that ensure human rights.

Multiculturalism’s potential legal overlap with other Acts is currently solved by making it the weaker policy whenever it collides with other areas of law. But is this the best solution for broad-spectrum equality rights? Potentially, a strategic narrowing of multiculturalism’s mandate to emphatically not include any practice that violates human rights would create the possibility of greater authority to enforce equality-based principles in areas such as anti-racism – principles within multiculturalism that support rather than collide with human rights. In this context, the same limits that are placed on freedom of religion in Canadian law could be applied to freedom of cultural practice. There is no theoretical reason why the scope of multiculturalism could not be limited in a parallel way to prevent conflicts between cultural practice and other human rights. Additionally, in those areas that do not conflict with human rights, the force of the policy could be expanded to include guarantees and enforcement protocols, rather than soft language around “fostering” and “promoting”. As long as multiculturalism is framed to do everything, with the authority to enforce nothing, then it has failed to achieve its full potential for greater equality. This chapter contends that multiculturalism is fundamentally a cultural policy and as such, it should be enabled to significantly support the right to cultural practice, not only within the boundaries of the law, but also through the law – through legal rather than exclusively moral suasion. There can be no genuine right without the capacity to legally enforce the protection of that right, for one never knows when shifts in popular opinion may influence governments to tighten regulations that they previously looked the other way on. Freedom of cultural practice in Canada rests on a creative, well intentioned, weak albeit progressive Multiculturalism Act, which requires a fresh look at its foundational philosophy to evolve further towards advanced equality. Currently it sidesteps difficult questions around defining and limiting cultural practice, and in doing so denies any real authority to those aspects of the policy that are not in violation of human rights but collide with historically dominant norms.
6.3 Rights for Individuals; Cultures for Groups?

Under the current system of rights, cultural practice balances precariously between conceptualization as an incomplete individual human right, and something belonging to the realm of group or collective rights, largely owing to the tendency to equate ethnically framed people with group rights. As Rogers Brubaker has observed, "Somehow, when we talk about ethnicity, and even more when we talk about ethnic conflict, we almost automatically find ourselves talking about ethnic groups." \[457\] The right to freedom of cultural practice remains problematically located within this discourse – something passed back and forth between individual and group rights, with neither laying firm claim to it, nor being empowered with sufficient capacity to actualize it meaningfully.

Ultimately, human rights are individual rights – something group rights advocates frequently point out. According to Rainer Baubock, in the West "citizenship is a status of equal individual political membership." \[458\] As David Ingram relates, liberalism is based on the fundamental belief that "membership in the human species entitles any individual to possess the same basic rights... These rights are assigned first and foremost to individuals as individuals, not to individuals as members of groups." \[459\] However, how are these "same basic rights" to be determined, and even more importantly, how are they to be secured? As Ingram quickly observes, there is an obvious tension in contemporary rights discourse about the difference between same and equal treatment. According to Ingram,

For some, treating citizens equally means treating them exactly the same way. Sameness of treatment is precisely what citizens demand of their laws; otherwise, not all would consent to them as equally benefiting their interests... Others, however, argue that treating persons equally means treating them differently, in a way that respects their individual distinctness no less than their common humanity. Their reasoning is this: Not all persons find themselves in social circumstances that are equally conducive to the full cultivation and exercise of their humanity. \[460\]
In response to this, a certain basic logic of liberal individualism would insist that the same treatment of all concerned should result in a natural state of equality, but the lived realities of this are somewhat more complex, as numerous feminist scholars have illustrated by revealing how requiring women to function within patriarchal norms can hardly be considered a promotion of equity. It is this ambiguity in assessing what constitutes equal treatment of all members of society which has led to calls for collective or group rights to rectify imbalances of opportunity, resources and civil dignity. An obvious example of this is the case for Aboriginal rights, where systemic discrimination and a bitter colonial legacy have made it impossible to equate equal treatment with same treatment. However, as Eva Mackey astutely points out, “The important question for me is not ‘How does the dominant power erase difference?’ but rather, ‘How might we map the ways in which dominant powers maintain their grip despite the proliferation of cultural difference?’”

Defining group rights is a difficult issue due to the multiple natures of their manifestation and application. Group rights can range from high-level legal protections (such as Canada’s constitutional bilingualism\(^{462}\)) to the most unofficial acknowledgments of difference (such as a store owner allowing an employee’s work schedule to be modified for reasons of cultural practice.\(^{463}\)) Jacob Levy has identified eight separate categories of classification for group rights which include, but are not limited to, exemptions from existing laws, special government assistance, regulated representation in government positions and forums, and self-government.\(^{464}\) These differences in treatment for certain members of society often produce hostilities from those of historically dominant groups who do not see that there is a rationale for such legal and sometimes financial exceptions. As Will Kymlicka has observed, “In both scholarly analysis and everyday public debate, minority rights are often described as forms of ‘special status’ or ‘privilege’, and people wonder why all of these pushy and aggressive minorities are demanding concessions and advantages from the state.”\(^{465}\) However, Kymlicka defends, “People talk about ‘troublesome minorities’, but behind every minority that is causing trouble for the state, we are likely to find a state that is putting pressure on minorities.”\(^{466}\)
In attempting to assess the rights ascribed to groups in Western society, Rainer Baubock has presented a six-point scale or range.\textsuperscript{467} It begins at the first level of moral rights that are neither legally nor socially codified, and extends to the fifth level of "rights which are legally enforceable and which establish rules that are not derived from normative principles" and the sixth level of "legal and enforceable rights which refer to socially contested norms (such as the right to abortion) or which violate socially recognized norms."\textsuperscript{468} As Baubock says, "All rights depend on social recognition, but rights do not exist only when they can be enforced."\textsuperscript{469}

Regarding this, one issue to consider in a Canadian context is whether the "tolerance-based" principles and practices of multiculturalism create the impression that there is in fact less need for the legal codification of group rights or the right to freedom of cultural practice (as in Baubock's fifth and sixth levels) and that equality can be sufficiently achieved on a more informal social scale (as in Baubock's second level). If this is indeed the case, multiculturalism may convince citizens that group rights are an unnecessary thing in a tolerant society, rather than a fundamental aspect of that tolerance. However, as Kymlicka notes, "The widespread movement for the international codification and monitoring of minority rights only makes sense on the assumption that at least some of the minority rights have moved from the zone of discretion and pragmatic compromise to fundamental rights."\textsuperscript{470}

Group rights in a Canadian context cannot be divided from multiculturalism. As a result, they intersect in complex ways with notions of individualism and the seemingly straightforward binary of individual versus group. As Will Kymlicka and Ian Shapiro have argued,

Focusing solely on whether the rights are exercised by individuals or groups misses what is really at issue in the case of ethnocultural conflict. The important question is whether the familiar system of common citizenship rights within liberal democracies – the standard set of civil, political and social rights which define citizenship in most democratic
countries – is sufficient to accommodate the legitimate interests which people have, in virtue of their ethnic identity.471

The right to cultural practice is a perfect example of a “legitimate interest” that is not being met concretely in Canada either through individual human rights or the conceptualization of group rights. Under the current system, the right to cultural practice is observed more through absence of conflict rather than through principles of equality.

6.4 A Proposal for Multicultural Rights

Canada, having made the commitment to constitutional multiculturalism, has an obligation to resolve outstanding conflicts around the right to freedom of cultural practice. If there was no intention to actualize the premise of equality of cultural freedoms across all cultural groups contained in the Multiculturalism Act, then such a policy should never have been adopted at a constitutional level. While its inclusion marks an advanced step in actualizing equality, this cannot proceed with any degree of force beyond a theoretical advancement unless greater authority is given to the policy to make its aspirations match its on the ground results. The Canadian Constitution is not a political tool for acquiring votes and manipulating policy. It is the very foundation of what Canada is and represents as a nation, and as such, anything contained within it should be treated with the utmost respect and seriousness. Because of multiculturalism’s inclusion in the Canadian Charter of Rights and Freedoms, Canada has taken upon itself an obligation to do more than other nations to forward cultural equality. In essence, Canada must find a way to make a guaranteed freedom of cultural practice work as a human right, because its constitutional commitment to multiculturalism amounts to a promise of the right to equality in the form of freedom of cultural practice.

So what exactly would a multicultural right look like in the context of Canadian multiculturalism? Ultimately, it would be the right not to be forced to adopt the cultural practices of another ethno-cultural group in a nation that has declared itself to be a multicultural nation. It would not be a right to circumvent existing principles of law, but a right to challenge the manifestation of these principles where they presuppose the
primacy of one cultural group over others. Cultural rights would not be a right to justify
gender-based discrimination, and in cases of conflict between the two, multicultural
rights would need to rely on precedents set by cases involving gender concerns and
religious rights in Canada in order to protect other forms of equality. A multicultural right
would be a guarantee of equal practice of culture, one that would be both an individual
and a group expansion of rights, comparable to the rights enjoyed by people of
historically dominant groups — excluding language rights, which are handled extensively
through separate aspects of Canadian law.

Why does Canada need to establish a framework for multicultural rights? Because under the current system, multiculturalism makes promises around cultural
retention and freedom of practice that are neither clearly articulated nor guaranteed, and a
promise of such seriousness should not be made unless there is going to be an attempt to
realize it. These promises cannot be fulfilled elsewhere in Canadian law because other
basic rights are modeled on the UN human rights package, which makes no specific
guarantees around culture, and Canada has failed to give authority to culture the way
international courts do in order to transform vague promises of cultural protection into
meaningful legal protections.472 Canada has a tradition of introducing legislation with
vague language that makes everyone comfortable enough for them to pass, but eventually
policies require clarification of their foundational philosophies to move forward with
policy frameworks and implementation. Canadian multiculturalism is now at the stage
when the authority and scope of its foundational philosophy should be clarified; its
current illusion of authority through its persuasive capacity is limiting multiculturalism’s
capacity to move Canadian equality towards the next evolution of rights.

A multicultural right would be fundamentally the right to equal valuation of
cultural expression, recognizing the legitimacy of multiple manifestations of cultural
practice, while adhering to the deeper principles of Canadian law. A multicultural right
would be the legally enforceable right to equality of cultural practice in a manner parallel
to freedom of religion, without any formal reliance on appeals to religious authority,
while bound by the same human rights restrictions as freedom of religion, such as
respecting gender equality or the rights of the child. In essence, it is the identification of group rights currently enjoyed by the historically dominant group, and expanding these rights to include all other cultural groups in Canada.

In light of this, this thesis proposes the following parameters for multicultural rights, which should be understood as a means of strengthening the place of freedom of cultural practice as a basic human right in Canada:

6.4.1 Defining the Foundational Philosophy of Multicultural Rights:

1. Multicultural rights theoretically rest on the guarantee that the expression of the cultural manifestations of underlying principles of the law shall be equally available to all citizens of all recognizable cultural groups.

2. Multicultural rights propose a reformation of the Canadian legal system and government policies/protocols, whereby the cultural manifestation of a law/policy/conduct code is separated from its deeper principle, with the intention of preserving the deeper principle while ensuring equal access to all cultural groups.

3. Multicultural rights would be actualized through the work of the Multiculturalism Branch of Canadian Heritage, and equivalent provincial (and potentially municipal) bodies, whereby a review of current laws/policies/conduct codes would be undertaken, with resulting recommendations to equalize the valuation of cultural practice, and address any areas where inequalities exist.

4. The responsibility for the protection of these rights should fall to federal and provincial governments to monitor laws and procedures; this responsibility would require the authority to compel changes in laws and practices that are found to be exclusionary and in violation of rights to equality of cultural practice within the government’s jurisdiction. In cases external to the government’s jurisdiction, the
government should have the capacity to make widely-circulated public recommendations for change that are non-binding.

5. Full effort should be made to provide equal access based on cultural rights to all contemporary public sector, government-directed professions and practices, such as the police force, bureaucracy and parliamentary procedures, etc.

6. Multicultural rights should be upheld through the Canadian legal system as the right to freedom of cultural practice in a manner consistent with freedom of religion.

7. Multicultural rights should be regarded as freestanding rights to equal freedom of cultural practice and would not require appeals to the authority of other human rights, such as freedom of religion, in order to be honoured and upheld.

6.4.2 The Limits of Multicultural Rights:

1. Freedom of cultural practice should not in any way provide the right to violate standing Canadian laws that are in place to ensure the security and rights of individuals, or society as a whole. Just as freedom of religion is not a rationale to commit gender-based violence and other forms of human rights violations, freedom of cultural practice should follow the precedents set out by freedom of religion to honour the standards of “equal protection and equal treatment under the law” laid out in the Canadian Charter of Rights and Freedoms.

2. Multicultural rights to equality of cultural practice (including attire and behaviour) are not proposed as a means of circumvent laws and protocols that are in place due to safety protection for either individuals or society, including cases where there is a cultural or religious rational for not following safety standards. For example, multicultural rights would not be a way for Sikh children to carry
knives to schools, but they would ensure the right for children to carry symbolic representations of a kirpan.

3. Multicultural rights are not proposed as an appeal to language rights, considering that there has been no constitutional commitment to multilingualism, only to multiculturalism within a bilingual framework, and considering that the majority of laws governing language use fall beyond the boundaries of multiculturalism's foundational philosophy in its current form.

4. Multicultural rights would not be intended as a defense of exclusionary practices by one cultural group against another, regardless of position of historical dominance. For example, multicultural rights would not automatically give Chinese Canadians the right to discriminate against Aboriginal Peoples on the grounds that they are protecting their right to cultural practice. Cultural rights in a multicultural society would fundamentally serve to increasing access for individuals to participate in all areas of society, and to eliminate barriers to free and equal rights to cultural practice. They would not be a mechanism by which, in the name of defending a vulnerable group, another group may be discriminated against. This does not mean that multicultural rights would prevent exclusion in certain cases where other human rights considerations came into play, only that they could not be used to automatically permit exclusion.

5. Under this proposal, multicultural rights would be intended for use in contemporary law and society, and not intended for use in reducing the right to heritage or historical values of a particular cultural group. Where conflicts arise between historical precedents and cultural rights in public practice, all efforts should be made to accommodate cultural and religious differences that would otherwise prohibit participation; however, these challenges to historical cultural traditions should not be made lightly, and must be based on a substantive capacity to prove exclusion without the implementation of cultural rights. For example, the Royal Canadian Mounted Police dress uniform has significant historical value to
Canada as a symbol and is still in ceremonial use; however, elements of attire that might otherwise prevent certain Canadian citizens from participating in the Musical Ride, such as a hijab, or a turban should be accommodated where possible in a manner that is consistent with the overall preservation of the heritage uniform. However, this heritage case differs significantly from contemporary police uniforms, which are updated fairly regularly, hold far less cultural and historical significance, and are in daily use as part of the function of law enforcement provided in the interests of all Canadians. Multicultural rights would not be intended to sacrifice or erase the heritage of the historically dominant group; however, they would be intended to prevent excessive appeals to heritage by any group, historically dominant or otherwise, in contemporary settings in a manner designed to exclude Canadians of other cultural groups from participating equally.

6. Multicultural rights would not be intended for use for cultures of one – i.e., to protect an individual who wishes to avoid legal protocols and seeks to use cultural rights as the easiest means of circumventing existing laws, whether of a serious or casual nature. Clearly this foundational philosophy would require a level of “common sense” judgment on behalf of policy and law makers to determine whether a practice was invented to circumvent existing protocols.

6.5 The Need for Multicultural Rights

Given multiculturalism's dependence on a human rights framework for any sort of active enforcement of equality, one could reasonably ask if multiculturalism is necessary at all, or if the Canadian Charter of Rights and Freedoms (1982) provides enough equality on its own. While there may be some rationale to support this idea, human rights make no direct reference to protections for cultural practice. Additionally, there are many instances when human rights are simply too universal to be useful in fighting daily manifestations of racism and cultural normativity established by historically dominant groups. Insightfully, Kymlicka identifies a series of challenges
around diversity and migration in everyday life, and claims, "The problem is not that traditional human rights doctrines give us the wrong answers to these questions. It is rather that they often give us no answer at all." Providing examples, Kymlicka goes on to say, "The right to free speech does not tell us what an appropriate language policy is... the right to mobility does not tell us what an appropriate immigration and naturalization policy is." Similarly, the right to equality regardless of religion and gender does not automatically tell us if a Muslim woman can wear her hijab to play soccer, or if Christmas should be a national civic holiday and Chinese New Year should not. In these cases, where human rights are in some ways too universal to comment meaningfully on culturally specific challenges, there is room for constitutional multiculturalism to forward equality on an entirely new level. In essence, what is currently lacking, and what multiculturalism may potentially provide, is a means of interpreting and addressing the cultural value systems that are embedded in Canadian society and law, with the goal of opening them up to greater cultural equality.

In 1997, Kymlicka and Shapiro wrote "There is a long-standing literature on the idea of 'group' or 'collective' rights. But until recently it tended to focus on a narrow and somewhat formalistic range of questions." In 2001, Kymlicka again stated, "Despite the growing literature on minority rights, we still lack a systematic account of which sorts of minority rights are appropriate in which contexts for which groups." It is in this jumble of articulations-in-process that the potential for a uniquely Canadian, and currently underdeveloped system of rights is emerging. This system is different from either human rights or groups rights in significant ways: it is neither fundamental to all Western nations, nor is it specific to an individual group within the nation. Instead it exists as the right to challenge the manifestation of a policy, law, or regulation based on gendered, historically dominant cultural expressions in a multicultural state.

In essence, the gap between human rights writ large and daily encounters with diversity raises the possibility of another type of rights – ones that can only exist where there is a legal framework supporting diversity over assimilation to pre-set cultural norms – essentially, multicultural rights. These multicultural rights provide a new way of
thinking about entrenched debates between individual and collective rights. Rather than approaching group rights as something provided for ethnically framed people, multicultural rights explore group rights that are in place (often invisibly) for those of historically dominant groups, and then uses this to differentiate the deep principles of policy and law from culturally normative expressions. From this emerges a way of expanding these unrecognized group rights for historically dominant groups to all Canadians equally.

The possibility of multicultural rights is perhaps best described using illustrative examples of locations where neither human rights nor group rights have successfully been able to provide broad-spectrum equality of cultural expression and practice. Given that no system of multicultural rights exists, the following discussion of their application should logically be considered theoretical rather than descriptive of actual usages. The case of the B.C. Legislature dress code is a prime example. While most of the Legislature does not require any specific form of attire, certain hallways and spaces require men to wear a suit and tie. Without one, a man is denied entry. Clearly predating the contemporary participation of women in provincial politics, the regulation is silent on dress code for women. Women are generally assessed on an individual basis by sergeants at arms or legislature staff, although in some cases women's footwear is specifically regulated, i.e., closed toed shoes, and the use of nylons, indicating other markers of traditional concepts of appropriately feminine attire determined by historically dominant groups. On a recent trip to meetings in the B.C. Legislature, I was permitted entry to one of these spaces in a suit jacket without tie, as was another female colleague in a blouse and tie without a jacket. However, of all the men with us in similar attire, only the man with both suit jacket and tie was permitted entry; those who had one or the other, or simply a nice shirt were not permitted entry to the space. This small regulation highlights two critical things for a nation constitutionally bound to multiculturalism: firstly, that historically dominant cultural standards permeate codes of conduct set in law; and secondly, that these laws are primarily based on standards set in times when Anglo-European males were often the only figures for whom the rules were intended to apply.
Western women figure awkwardly into this system, and those of other cultural groups arguably do not fit at all.

So how can this particular conduct code be addressed? Human rights outline the right to challenge discrimination based on race, religion, and gender, but not on the basis of normative cultural expression. For example, a Buddhist monk could potentially appeal on the grounds of religion, whereas a man in formal African attire or a Nehru suit would not be able to appeal on the grounds of religion, and under culture alone there are no grounds of appeal formally available. Human rights do not easily apply in this case. Nor is it an appropriate location for a group rights appeal because of the lack of clearly defined group to make an appeal — in this case the “group” seeking an exemption may potentially consist of anyone not sharing historically dominant standards of dress, i.e., wearing suits and ties. As a matter of cultural practice, this clearly falls into the realm of Canadian multicultural policy, which unfortunately has no authority to enforce inclusive principles, only to “foster” and “promote” them. In this case, a judge might rule that in accordance with section 27 of the Charter, the rule of law should be interpreted in accordance with Canada’s multicultural heritage, but overall the grounds to change this normative standard are at best vague, relying heavily on the personal interpretation of individual judges rather than on a clearly defined constitutional right to equality of cultural practice, as well as enforcement of that right. The current arrangement invites far too much interpretive judgment on what is and is not a legitimate cultural practice, contrasting ethnically framed cultural practices against historically dominant, legally embraced cultural norms.

Assuming hypothetically that multiculturalism could be made to have the authority to actively change culturally normative laws, the situation could be easily rectified by separating the cultural manifestation of the law from its underlying principle. In this case, the underlying principle is to convey seriousness and formality (extra-daily importance) in particular spaces of the legislature; the manifestation of the law is to compel people (read: men) to wear suits and ties. It is not a group right being sought, for it is not one group seeking special permission to wear a dress hijab or a Nehru jacket; in
this case it is the historically dominant group that currently enjoys a special privilege of having its preferential dress code implemented as the one all people must wear. If there was the authority to do so, multicultural rights could indicate that the law should be reformed to compel formal or business attire in these spaces, as appropriate to the culture of the wearer, instead of stating "suit and tie" and being silent on the issue of women's attire. If a tie and suit needed to be stipulated as an example of business attire of a certain formality, a comparative list of clothes from different cultures could be provided, with a caveat that formal attire from any culture not listed may also be considered in specific situations. People cannot legitimately claim that having a vague regulation (abandoning the stipulation of suit and tie) is too difficult to manage, because women's attire currently falls into the same vague category, owing largely to the historically recent presence of women in government buildings as members of the press and as elected representatives.

Reforming these codes is difficult, for it often leads to claims that "Canadians" are being asked to abandon their heritage for "newcomers." While there is potentially some validity in this argument, it relies heavily on hyperbole rather than practical reality to make its point. Does a change in the by-law mean that all "Canadians" are being prevented from wearing suits and ties in the Legislature? Certainly not. Is it likely that a change in the rules to allow for other types of formal clothing will spell the end of the suit in B.C. politics? Hardly, especially given the popularity of the suit for people of all cultures, and its prominence in consumer culture. The point here is to maintain the deep essence of the law's intent (formal attire in special places in the Legislature) rather than the surface manifestation of the law (mandatory Western style suits and ties.) Altering the law to permit culturally neutral, gender-neutral formal attire not only fosters genuine equality on the basis of Canada's constitutional multiculturalism, but also rectifies the current invisibility of women's place in the law. It legitimates the right to equal participation and belonging, which is currently undermined in subtle and pervasive ways by adherence to conduct codes from a time when only white men were invited to hold power. It also opens up space for culture and gender equally, allowing women of all cultures to participate without fitting themselves into the dichotomy of Western woman/Ethnic Minority that so often leaves women cut unfairly in two.
Standards of masculinity frequently compel legal compliance to historically dominant trends and values, particularly for those in positions of government-regulated authority – military, police, health care and politics. This reinforces the equation of historically dominant cultural beliefs, patriarchal gender standards and political/social authority in the minds of Canadian citizens and residents, for it is they who bear witness to the cultural standardization of authority. For example, in some police forces, men must cut their hair, while women must maintain neat hair.\textsuperscript{478} Certain groups, such as Sikh men, have obtained permission to be exempt from this protocol despite highly publicized resistance from some members of the general public,\textsuperscript{479} but what about Aboriginal men or those of other cultural groups for whom long hair is considered important? Can a challenge be mounted on religious grounds? What about on cultural grounds? Aboriginal values are not easily recognized in this system, where long hair must be proved to be a "legitimate" religious value if there is to be any legal action to permit a "deviation" from the conduct code. As evidenced by Neil Vallance's work on Aboriginal court cases, Aboriginal Peoples are forced to rely disproportionately on appeals to notions of culture in legal proceeding due to the fact that dualistic human rights references to religion or culture are woefully inadequate to describe the society and spiritualism (again an inaccurate term) of Native cultures. "Culture" is not defined in Canadian law, but it is used almost ubiquitously to describe Native experiences and values, and this is of serious concern given that cultural rights are not clearly guaranteed by law either as an Aboriginal right or as a human right.\textsuperscript{480}

In this situation, the adherence to historically dominant cultural standards about what constitutes an appropriate masculine dress code devalues and potentially eliminates the participation of some groups and necessitates special exemptions for others. A multicultural review of this policy would indicate that the intention of the policy is to maintain neat hair that does not get in the way of the job, worn in a manner that indicates a level of professionalism. Surely, then, it can hardly be considered appropriate that long hair tied back is regarded as a violation of these principles for one sex, but not for another! This is another prime example of embedded gender-based historically dominant
norms that are in conflict with the daily multicultural, multi-gendered participation of many different types of people in the police force, and in society more broadly. It is important to point out that while the application of multicultural rights in this case would open up spaces for equal participation, they should not to be read as an Aboriginal right. They are fundamentally *multi-cultural*, i.e., they recognize the validity of multiple cultures equally. Thus, when used in this way, multicultural rights would be able to open up spaces for all Canadians, including Aboriginal Peoples, without compelling a reliance on multiculturalism as an immigrant discourse or compromising other Aboriginal rights. There are other areas of multiculturalism that remain firmly grounded in an immigrant framework, and therefore make inclusion of Aboriginal Peoples awkward and potentially undesirable from an Aboriginal perspective. However, the application of multicultural rights does not in any way impede an alternative appeal to any circumstance on the grounds of an Aboriginal right – it merely makes equal valuation of all cultures the norm in place of unequal valuation of cultures.

### 6.6 When Multicultural Rights Apply

So when would multicultural rights apply, and when are human rights a more appropriate venue to challenge normative standards? Multicultural rights are specific to cultural expression, which may overlap with human rights in areas such as gender, ethnicity and religion. However, multicultural rights are proposed predominantly as a mechanism for updating government laws and conduct codes without requiring individuals to go to court on a case by case basis to secure rights; they are less applicable to the private sector because of the impossibility of regulating spaces that may be considered voluntary. In this situation, human rights form a more appropriate basis for challenging exclusionary norms. The following two cases illustrate these differences.

In her review of religious concerns that present challenges to Canadian multiculturalism, Lois Sweet recalls a 1993 case where a Muslim woman, appearing in a Montreal municipal court, was asked to remove either her headscarf or herself because the headscarf was in violation of the protocol of appearing before the court with a bare
This custom clearly dates to Christian norms where men should bear their head before God and other authority figures in order to show humility;\textsuperscript{482} it is directly in opposition to Muslim and Jewish traditions where humility before the Divine is expressed by covering the head.\textsuperscript{483} While early Christian women also covered their heads in Church and in formal circumstances, this tradition faded out as equality in public spaces manifested as the adoption of masculine norms of conduct, which transferred not only from men to women, but also from the Church to the State. In the instance of this contemporary case the court, operating in a supposed separation of Church and State, still preferred Christian male norms – the gendered and cultural manifestation of the law rather than the underlying principle of the law, which was to show humility before the court. This case is an excellent example of a location where multicultural rights could productively be applied, because it emerges from a state-directed policy, and because there is a clearly identifiable preference for one cultural expression over others in executing the principle of the law.

Potentially this case might fall under the realm of freedom of religion, but what if it was a matter of a woman wearing an African headscarf rather than a hijab? Under the current system there are no grounds for appealing the historically dominant standards of dress in a courtroom on the basis of cultural expression. The treatment of culture in comparison to religion produces a value scale, whereby religious practices (or cultural practices with religious foundations) are infused with more authority than cultural practices without religious foundations. In this sense, in order for members of ethnically framed groups to challenge the primacy of the traditions of the historically dominant group, they must make disproportionately high levels of appeal to religious rationales – the culture of an ethnically framed group alone, without the premise of religion, is insufficient to challenge the culture of the historically dominant group. Therefore, ethnically framed groups must appeal to both culture and religion, or must use religion to trump culture, in order to make space for themselves, whereas the historically dominant group enjoys the right to culturally normative practices embedded in law without having to appeal to religion. While this system made some degree of sense earlier in Canada’s history, it certainly does not make sense now, when Canada has constitutionally
committed to “the full and equitable participation of individuals and communities of all origins in the continuing evolution and shaping of all aspects of Canadian society.”\textsuperscript{484}

A second case cited by Sweet provides an instance where human rights laws are a more appropriate mechanism to achieve equality than multicultural rights. In 1994, also in Montreal, a student was sent home from a school for wearing her hijab. The school cited the edict that no student should be permitted to wear a religious symbol on the grounds that it could create problems in a secular system. Here it is clearly religion that is targeted, making easy links to human rights protocols. Illustrating the depth of prejudice located in this debate, the principal claimed, “Distinctive clothing like a hijab or neo-Nazi regalia could polarize aggression among young people.”\textsuperscript{485} Here the act of wearing a hijab – a peaceful religious choice impacting only the wearer and being practiced by an individual who had never been cited for antagonistic behaviour – is equated with a symbol of a group actively involved in hate-mongering, racism and some of the most atrocious crimes in human history. The student’s family transferred her to another school, took the case the Human Rights Commission, and won – a decision which took over a decade to hand down.\textsuperscript{486}

While multicultural rights would have been far weaker than human rights in making this legal challenge, there is still a place for them in promoting equality in school systems more broadly by placing emphasis on Canada’s commitment to multicultural values over “secular” enforcement, particularly when such “secular” traditions emerge from the Christian practice of not covering the head. James and Wood, reviewing the same case, observe, “Evidently the school’s inability to accommodate religious expression that differs from Catholic and Protestant norms belies official government policy of promoting inclusivity and sensitivity within its educational institutions.”\textsuperscript{487} James and Wood also note that the parents of the student in question requested that the school’s parent committee review the issue of dress code, which they refused to do.\textsuperscript{488} This highlights that majority intolerance was able to prevent the student from seeking justice through in-school channels. If the main goal of asking students to remove religious symbols was to avoid conflict, surely this goal could be better achieved by
teaching that such symbols represent no conflict in and of themselves when the community is based in equality, open-mindedness and knowledgeable awareness of other cultures. A Muslim does not cease to become a Muslim without a headscarf – she is simply less visibly a Muslim to those of a Christian community. In this case, the principal prevented racist/religious conflict in the school by removing the person who might potentially become the victim, rather than dealing with those who might perpetrate racist acts. In doing so, he only managed to transfer the act of racism from any potential future threat to his own direct actions – actions that were compounded by offensive speech illustrating his own prejudice.

In the above cases, it is clear that the public/private distinction is important in determining a possible role for multicultural rights. But although it is easier to make the case for multicultural rights in government-directed spaces, the main thrust of their potential – to remove cultural bias in manifestation of the law while retaining the underlying principle or justification for the law – is broadly applicable to both public and private spaces. There are several areas where multicultural rights could function to transform culturally specific manifestations of laws, by-laws and policies without abandoning the principles themselves. The following two examples explore issues of safety in private-space scenarios in connection with cultural practices and normative standards.

In a recent Quebec case a young woman wearing a hijab in a soccer tournament was asked to leave the playing field because her headscarf was cited as a strangle risk. The woman had worn her headscarf throughout the entire playing season without issue until she played in a game with the particular referee in question. In this case, the underlying principle of the conduct code would be safety-based, to avoid anything around the neck that could cause harm to a player (which is why jewelry is also forbidden in games). However, even should a headscarf be pulled off around a player’s neck and tugged on by an opposing player, this could hardly be considered any different from the mandatory shirts soccer players wear, which also provide loose fabric encircling the neck. Shirt tugging is a common annoyance occasionally resulting in some discomfort, which
anyone who has played soccer can attest to. In this case, the referee in question clearly
did not consider how the headscarf might be similar to the risks he accepted as a common
part of the game; he responded to what was in his mind a visible difference, rather than
evaluating it against the normative standards he was used to. Had a multicultural review
been previously conducted about regulations on players’ attire, the situation could have
been resolved amicably with a simple flip through the rulebook; in Ontario, where the
policy has been formally reviewed, headscarves are permitted.\textsuperscript{490}

Although this incident indicates discrimination based on the referee’s
interpretation of risk, there is a positive side for those who look for examples of anti-
racism at work in daily life. After the player in question was removed from the game, not
only did her entire team withdraw from the tournament in protest, but so did several other
teams, all of which gave up a weekend’s playing that they had paid for and a chance at a
cup in order to support the multicultural rights of a player that wasn’t even one of their
own.\textsuperscript{491} Actually, the idea of “one of their own” is quite pertinent here; while she was not
part of their immediate micro-community, the other teams clearly recognized and
supported her as a member of a broader community to which they all belonged – one that
they felt did not tolerate discrimination.

An opposite example to the above case is the situation of a Sikh man who lost a
human rights challenge to wear his turban in a construction zone.\textsuperscript{492} Here it was ruled that
the safety attire required for work in a construction site was not culturally specific, but
was a legitimate mandatory piece of attire due to the hazards of the profession. In this
case, applying the principles of multicultural rights, there is no normative cultural
standard in place because the design of the safety helmet relates to human biology; here,
the best that could be done would be for a review to be conducted by Sikh workers and
those who could speak to the helmet design to see if there were alternatives for
reconciling the two codes (religion and safety) that had not been previously considered.
Multicultural rights are not intended to abandon the underlying principles of law,
particularly not those designed to guarantee the safety and rights of individuals; rather
their intent is to screen areas of conflict for historically dominant cultural standards that
have been applied across the board to all Canadians, and then to address these standards through a framework of multicultural values.

Not all multicultural issues are related to dress code, nor are they all individually applicable. In each of the above cases, changes to the law would only impact those who were currently being held to cultural norms that were not their own; the daily habits of those from the normative group would not have been compelled to change. However, this next example of multicultural rights is not so straightforward.

One of the ongoing critiques of multiculturalism from Hage, Bannerji, and Bissoondath (who see the policy as a tool of the historically dominant group) is the claim that multiculturalism provides nothing more than window dressing on a house for historically dominant groups. Until the finer points of conduct codes and by-laws are reformed, these critics are in many ways right about the policy. Although Canadian and Australian multiculturalisms are designed for everyone, not just for ethnically framed groups identified by the historically dominant group as “outsiders” as in European policies, the lack of challenge to normative trends supports the idea that little has changed. One of the most easily identifiable locations for this is in national holidays, where Christian dates are the only non-secular vacation days to be treated as statutory holidays. This clearly reflects the values and needs of the dominant Christian population when the dates for official holidays were first set. But what about now, when comparatively few Canadians remain devoutly practicing Christians? At what point does a practical value become heritage, and from heritage become habit, and from habit become something that should be reconsidered?

There have already been calls from certain groups to make new holidays official. But this issue is a contentious one, where even non-Christians of the historically dominant group (not to mention marketing companies) claim that any revision to traditional holidays would be a violation of Canadian heritage. Sweet, James and Woods, and Kymlicka have all reviewed this issue in the context of
Canadian multiculturalism, but few easy answers are forthcoming given the complexity of the challenge.

To begin this discussion, it is useful to look at which holidays are currently celebrated, and which are based on religious values. Currently, Canada’s historical statutory days are: Victoria Day, Canada Day, Labour Day, Remembrance Day, and frequently a provincial day. While there are definite cultural specificities to these days, many of which are based in Canada’s connections to British history and values, they remain relatively accessible to a broad spectrum of Canadians. Alternatively, Canada’s statutory Christian-based holidays are Christmas, Boxing Day, Good Friday, and for some, Easter Monday. New Year’s Day is celebrated based on the calendar used in the West. The religious and secular holidays of ethnically framed and religious groups are most frequently celebrated on a community-based level, and do not enjoy statutory status.

A multicultural rights-based review of this specific issue presents more questions than answers. Looking at the situation at this moment in history, there is a clear preference for one group over others, and yet how could this preference be removed while still acknowledging Canada’s history? That being said, how could the situation remain as it is without acknowledging Canada’s present? Potentially, one could argue that all the historical holidays should stay, and all the religious ones should be shared amongst the most populous religious groups, but then who decides which groups merit a national holiday and which don’t? Or alternatively, one could argue that Labour Day and B.C. Day are not nearly so emotional for the nation, so they should make way for holidays such as Chinese New Year, but then what about all the other potential holidays, not to mention all the other different New Years celebrated by different groups? What about simply eliminating all the religious holidays from the calendar, and giving each Canadian a set number of extra days per year that represent individually-assigned statutory holidays, which a person declares to be their fixed holidays of choice (potentially from a recognized national list) based on their own cultural preference? Some would argue that this would create chaos; however, given the increasing commercialization of Western society, where there really are no fixed dates anymore
where the whole city takes a break, many people seem to make their own work schedules anyway. Alternatively, others might oppose this idea on the grounds that it would allow individuals to get days off per year that weren't really religious, but this hardly seems fair, given that Canada does not compel its citizens to avoid atheism. This might even be more fair, given that under the current system those of non-Christian traditions get to take religious day off (in addition to statutory holidays) when they conflict with work days... then again, maybe people in this situation prefer it that way, and would not see a multicultural interference in the situation to be to their benefit.

All in all, historically dominant cultural norms that impact the entire country are easily the most difficult to reconcile with the constitutional commitment to a multicultural nation. Not everyone in Canada must walk down a specific hall in the Legislature, or wear a hardhat to work, or play soccer, but theoretically everyone in a government regulated job currently gets Christmas off, or at least gets paid extra for working it. Ultimately, it must be acknowledged that a system of multicultural rights will not always provide clear and easy answers, but it will push the nation to move more rapidly towards a truly anti-racist, equality-based society. (And given the demographic shift in Canada over the past thirty years, it might be wise for the historically dominant group to reconsider the long-standing practice that the majority group gets to set the cultural rules for everyone else...)

Upon close examination, it is clear that despite a constitutional commitment to multiculturalism, many government-regulated behaviours are decidedly based in historically dominant manifestations of cultural norms. So what does this mean? If multicultural policy is to mean anything to Canadians in daily life, it must first and foremost hold sway over the government itself. This indicates that there is a need to comb through currently existing Canadian federal, municipal and provincial laws to look for indicators that coach the population into the cultural practices of one specific group instead of valuing the cultural expressions of all Canadian cultural groups equally. It is entirely against the constitutional commitment to multiculturalism that a man in a formal Nehru suit without a tie could be denied entry to spaces such as the B.C. Legislature,
while a woman in a Club Monaco outfit would be permitted entry. While it is not certain that a man in a Nehru suit would be denied entry, there is no current legal obligation for an official to grant him entry. This places far too much authority in the hands of individual officials to pass judgment on what is and is not a culturally acceptable expression of formal respect for Legislature spaces. However minor these regulations may appear, until they are addressed, cultural discrimination will be a legal practice in Canada regardless of any multicultural legislation to the contrary.

6.7 Pioneering Multicultural Rights in Canada

In 2002, as part of its commitment to the International Convention on the Elimination of All Forms of Racial Discrimination, Canada put forward its endeavours in multiculturalism for review by the United Nations. Although Canada was praised, the UN Committee on the Elimination of All Forms of Racial Discrimination also cited Canada's lack of coherent plan as a concern. In response, the Liberal government crafted A Canada for All: Canada's Action Plan Against Racism in 2003. The Action Plan acknowledges that although “the UN Special Rapporteur... praised Canada for embracing ethnic, racial, cultural and religious diversity through its multiculturalism policy, democratic institutions and the protection of human rights, he also noted the need for a strategy to complement the legal framework.” Despite some progressive steps and an outright reference to the gap identified by the UN Special Rapporteur, the Canadian Action Plan still fails to make critical connections between multiculturalism's potential for equality, and the legal framework with which to implement it.

Clearly, Canada has legal means in place to ensure equality, as evidenced by numerous Acts and policies on human rights. But are these tools sufficient to achieve the type of advanced equality Canada is capable of... an advanced equality that tackles the immensely problematic issue of cultural practice as a right?

As Kymlicka observes, human rights are often too broad to be applicable in recommending prescriptive actions on daily protocols, and human rights in Canada do
not refer specifically to cultural rights. In addition, they tend to rely on a challenge-result model, where individuals go to court on a case by case basis to apply for changes to, or exemptions from, laws that they feel compromise their rights. This model, while useful and necessary, fails to provide rapid and broad-spectrum adjustments to culturally normative trends that continually re-inscribe historically dominant values on Canadian daily life. Group rights are also an inappropriate place from which to mount a challenge to many of these situations, for a group right indicates that an exception is being made for a specific group, rather than that a challenge is being mounted against preferential treatment for the norms of the dominant group. Neither group rights nor human rights contain anything to compel a nation to modify the cultural manifestation of its laws to avoid preference for historically dominant groups; they merely ensure that certain individuals may be found legally exempt from practicing them on the basis of related rights, such as freedom of religion. In essence, neither group rights nor human rights automatically translate to a national multicultural environment. Ironically, in some ways their emphasis on making exceptions as a means of inclusion is a reminder of the marginalization rather than the centralized acceptance of those who have not been part of the traditional dominant group.

Multicultural rights open up room to resolve many of these conflicts before they become human rights challenges, and they provide opportunities to address cultural practices not covered by human rights and group rights policies. Simultaneously, multicultural rights question latent gender-normative trends in the manifestation of conduct codes and by-laws. They also open up spaces where Aboriginal Peoples can potentially increase their freedoms without having to position themselves in immigrant rather than Aboriginal rights-based discourses because multicultural rights expand access for all Canadians without requiring them to identify membership in an ethnically framed group to any extent beyond the ways in which historically dominant groups have done in public spaces. Ultimately, multicultural rights propose reforming current historically dominant group rights to practices that are culturally based manifestations of law. As “multicultural” rights, they would ensure that the historically dominant group is not compelled to give up their practices, but nor would they be permitted to continue to
compel other cultural groups to adhere to them. Once again, it must be stipulated that multicultural rights are premised on eliminating racism and cultural normativity through challenges to the cultural manifestation of laws, not through abandoning their underlying principles, such as formality, safety and the elimination of conflict. Some critics may argue that this is simply a surface level engagement with the law – and to some extent they would be right! But in its current incarnation, the surface manifestations of these laws and conduct codes reinscribe historically dominant norms by devaluing the cultural practices of others – a situation which simultaneously produces ongoing exclusion from the mainstream for “minorities” and is a recipe for promoting racism. Multicultural rights are a theoretical framework for securing equal valuation by the general population for all cultural groups, and equal access to cultural practice for individuals; they are not about undoing protocols of safety, formality, ceremony or legitimately located authority, but about ensuring that all people can participate in these locations equally.

The dependence of multicultural rights on a framework of individual rights is progressive because it neither prevents the capacity to band together as a group on an issue by choice, nor does it automatically confine individuals to an externally imposed definition of group culture or to a static definition of cultural belonging. In effect, it acknowledges culture as both a matter of heritage and a matter of choice – a dynamic system of belonging and practice rather than a monolithic system of ownership. This is consistent with Canadian multiculturalism’s slow progress away from its initial engagement with culture only in terms of well-established groups towards a more contemporary focus on culture as an individual practice. Culture, like the scientific definition of light, is both a wave and a particle – it exists simultaneously as the practice of individuals and as the heritage of groups. Any successful multiculturalism must be able to accommodate both without infringement on either. The old Trudeau-era discussions of multiculturalism as group-based inclusion is challenged by the work of theorists such as Gunew, Mahtani and Vertovec who all independently contend that diversity and hybridity in contemporary times have escalated to the point where traditional multicultural engagement with well defined groups is outdated and harmful. The problem of multiculturalism’s engagement with culture on a group-based model is
most clearly evident when considering the position of women, whether they occupy mainstream, Aboriginal, "immigrant" or non-mainstream communities. Kymlicka, Creese and Das Gupta observe that when governments develop multicultural policies that focus on supporting communities, they fail to not only support, but also to see women who exist at the margins of these spaces, and who often have limited access to public participation or leadership in these communities. This problem is not specific to ethnically framed communities, but is pervasive throughout Canadian society, as evidenced by the ongoing under-representation of women of all cultures in positions of political authority in municipal, provincial and federal jurisdictions. This is not to say that governments should abandon their support of community or group-based projects, but that a system of equal freedom of cultural practice should permit the same rights to those who belong to hybrid, small or non-mainstream-established groups as it does to those in well-funded, long-standing, populous communities. A woman from Sierra Leone should have the same access to cultural practice under multicultural rights as a member of the Chinese or Anglo community.

6.8 Recommendations for the Canadian Multiculturalism Act

In her recent work, entitled Multiculturalism Without Culture, Anne Phillips has made the claim, "A defensible multiculturalism will put notions of human agency much more at its centre; it will dispense with strong notions of culture...The basic contention throughout (the book) is that multiculturalism can be made compatible with the pursuit of gender equality and women’s rights so long as it dispenses with an essentialist understanding of culture." The framework proposed for establishing a system of multicultural rights is an excellent way to unite Phillips’ ideas and the actual functioning policy language. This framework neither compels an essentialized reading of membership in a culture, nor places legal freedoms on a forced appeal to group rights, but instead permits equal individual access to self-expression regarding culture. In effect, it takes away the historical labeling of ethnically framed groups and their cultural practices from multiculturalism and replaces it with agency on behalf of individuals to actively choose and define their cultural practices based on their individual identities and whichever
aspects of “tradition” or “heritage” they wish to embrace. Significantly, this is not a “defense of difference” argument, which takes a somewhat static view of cultural practice from a normative standpoint; rather it is a framework for recognizing that “difference” is only located as a fixed and essentialized entity that ethnically framed people occupy when the entrenched position of the dominant culture group is invisible. The proposed framework for multicultural rights as the next evolution of Canadian multiculturalism makes the cultural essentialism of the dominant group visible, identifies the core rights/values that underlie the cultural expression, identifies how the current equation between culture and law is a barrier to equal participation, and provides equal access to individuals regardless of cultural expression. This is very different than the “right to difference” model that breeds essentialism, which takes a rigid and narrow view of the practices of a given culture as defined by the observations and perspectives of the dominant group. In short, what Phillips has called for in theory is presented here through changes to policy. It is important to observe that unlike some scholars, Phillips calls for a strengthening rather than a reduction of multiculturalism in her book, namely, “a multiculturalism that dispenses with reified notions of culture that feed those stereotypes to which so many feminists have objected, yet retains enough robustness to address inequalities between cultural groups.” Phillips sees this as fundamentally something that begins with individual rather than group rights, and formulates her proposals for a “multiculturalism without culture” from this position.

Multicultural rights remain a only theoretical possibility because they necessitate an attempt to define culture – a move that opens up the proverbial “can of worms” which no one wants to open. However, the current practice is to simply avoid the contradictions between legal, social and religious aspects of cultural practice as they interact with the Canadian system, and to prevent any outright conflicts by limiting the power of the Multiculturalism Act to little more than a persuasive bureaucratic plea for equality. Canada is selling itself short through this system of avoiding conflict by failing to make bold decisions on definitions – it can do better.
In order to have authority in the current system, multiculturalism relies on the Human Rights Act to provide any necessary defense of equal rights or enforcement of penalties for those who perpetrate acts of injustice based on race, religion, ethnicity, gender, etc. But the Human Rights Act does not include culture directly, which forces challenges based on culture to rely on religious, racial or ethnic discrimination categories, or on a group rights appeal. Through this gap in the current system, there is neither the identification of the need, nor the will to enforce, changes to culturally normative laws, by-laws and conduct codes in the Canadian system at all levels of government, and, failing the government’s capacity to lead by example, even less authority to compel the private sector to forward cultural equality. The current reliance on a religious or ethnic basis for challenge under human rights compels a level of religiosity or ethnic identification from members of ethnically framed groups that Canadian law does not require of those of the historically dominant group. For example, without amending the conduct code, men who have a religious reason not to wear a suit and tie to the B.C. Legislature may challenge on the basis of a violation of their human rights, whereas men who have a cultural adherence to other attire may not. Groups may band together and appeal for an amendment on the basis of a special group right, but this does not address the fundamental underlying problem: that a “group right” to a normative standard has already been established by the historically dominant group, and is imposed across the board to all other cultures unless a forcible challenge is mounted through the Human Rights Act or through an appeal to a group rights exemption. Multicultural rights provide a third avenue for challenging these cultural standards, without having to appeal on religious grounds to the Human Rights Tribunal, and without compelling individuals to self-identify as a member of an “ethnic” group in order to secure a “special” right. Multicultural rights are fundamentally proposed as a way of recognizing and changing existing embedded cultural standards; they are not about working around them one ethnocultural challenge at a time, while essentially leaving the primacy of the original cultural norms in place.

In order to adjust the foundational philosophy of multiculturalism to give it the authority to support a framework for multicultural rights, there would need to be a clear
recognition in the *Canadian Multiculturalism Act* that culture contains the both legal and social aspects, and that the former falls under the jurisdiction of the *Canadian Human Rights Act*, while the latter falls under the authority of the *Canadian Multiculturalism Act*. Multiculturalism would need to be given the “teeth” to address ongoing, broadly imposed, historically normative standards, thereby providing an environment where equal expressions of cultural practice may flourish. The policy would also need to be empowered to assist in anti-racism by authorizing the rights of Canadians to freedom of cultural practice through more than simply “fostering”, “promoting” and “recognizing” diversity. It would need to become like other constitutional acts and laws, containing the capacity to deliver not only aspirational direction, but also authority of enforcement.

Ultimately, in order to establish multicultural rights as a mechanism for challenging historically dominant cultural norms in Canadian law and practice, this thesis proposes an amendment to the *Canadian Multiculturalism Act*. In order to go forward, the potential conflicts between cultural practice and gender equality outlined in the previous chapter would need to be resolved. This could be done using precedents set out by cases involving freedom of religion whereby religion and gender equality coexist under Canadian law, or by more forcefully highlighting and clarifying the role of gender in relation to section 1(e) of the *Multiculturalism Act*, which ensures “equal treatment and equal protection under the law, while respecting their cultural diversity.” Subsequently, the amendment proposed would be to: 1) clearly identify that all cultural practices supported by the *Multiculturalism Act* should be in line with the standards outlined in the *Canadian Human Rights Act*, and that in cases of conflict between the two, the *Canadian Human Rights Act* should take precedence; 2) recognize that multiculturalism is based on the principles of anti-racism, and that any framework for culture should proceed under these values – a bolder and more committed legal stance in line with Canada’s UN commitments; 3) recognize that citizens are entitled to multicultural rights in the form of government-directed challenges/revisions to manifestations of the law where current cultural and gender-based norms from the historically dominant group exist; and 4) identify that those aspects remaining under the purview of the *Canadian Multiculturalism Act* which are not in conflict with the *Canadian Human Rights Act* should be held to be
authoritative and enforceable, and should contain the powers to appropriately compel other culturally specific Canadian government laws, policies and practices to come in line with Canada's constitutional commitment to multiculturalism. It must be noted that these recommendations fundamentally occupy public, government-directed spaces, but once in place, they may guide private companies, associations, sports groups, etc. to develop policies that are inclusive both culturally and in terms of gender. These powers would not be intended for use in undermining the traditions or practices of historically dominant groups, but would be designed to prevent compulsory adherence to historically dominant cultural norms. The fundamental emphasis of a multicultural rights system would be to compel the government to lead by example when it comes to embracing equality-based cultural diversity.

If multiculturalism is to move forward to the next level of advanced equality, the cultural nature of the Canadian legal system should be directly linked in policy and public understanding to the Multicultural Act, thereby alleviating the illusion of impossible inclusivity, and replacing it with a realistic assessment that new immigrants and current residents can better understand. This foundation should be built on a clearer recognition and appreciation for the differences between basic principles of human rights and culturally normative practices based on historical preferences. Human rights are definitely cultural, but they are also becoming trans-cultural because many of the world's nations now agree on a basic set of principles. But this basic standard of conduct makes no reference to the cultural manifestation of daily lives and smaller laws, which are areas where multicultural rights present an opportunity. While there is nothing in place to prevent other nations from adopting a system of multicultural rights, neither can there be any expectation that they will be compelled to do so without a stated commitment to multiculturalism. In this sense, Canada's constitutionally based multiculturalism makes a great deal of difference to the application and expectations of the policy's potential for equality. If multicultural rights are to begin anywhere, it makes sense that they should begin here, in a nation that has already committed itself to the equal valuation of all cultures practiced by its peoples. Anything less falls far short of the advanced equality Canada is capable of.
Endnotes:


439 Canadian Charter of Rights and Freedoms, section 2

440 Canadian Charter of Rights and Freedoms, section 15.1

441 UN Universal Declaration of Human Rights

442 UN Universal Declaration of Human Rights Article 22

443 UN Universal Declaration of Human Rights Article 27, section 1


445 ibid p.86

446 ibid. p.78, 92-93


449 Canadian Charter of Rights and Freedoms, section 27


452 Canadian Multiculturalism Act sections 3.1, 3.2, 5.1


460 ibid p.15

Chapter 6: Multiculturalism and Human Rights

466 Ibid. p.2
468 Ibid. p.210
469 Ibid. p.210
474 Ibid. p.5
477 Legislative Assembly of British Columbia. Parliamentary Procedure Workshop. Available at http://www.leg.bc.ca/info/2-10.htm
478 This rule varies across Canada; in some police forces, Aboriginal men have recently been permitted to wear braids.
Chapter 6: Multiculturalism and Human Rights

485 Canadian Multiculturalism Act Section 1.c
489 ibid. p. 100
491 ibid
492 ibid
496 ibid
501 Canadian Human Rights Act, Canadian Charter of Rights and Freedoms


Ibid. p.8

Ibid. p.162
Chapter 7: Conclusion

Conclusion

This thesis has set out to examine the reasons behind Canada's ongoing support of multiculturalism, given the difficulties parallel policies in other nations have faced in recent years. While the Netherlands, Sweden and Australia have all shifted their multiculturalisms towards more assimilationist models, while scaling back their scope, and while Britain is considering a proposal to abandon its multiculturalism altogether, Canada remains firmly committed to its version of multiculturalism, and to the theoretical potentials for advanced equality it contains.

The differences in experiences with multiculturalism for these nations can largely be attributed to the foundational philosophies that have been developed to guide them. In short, Canada has made choices and commitments in its policy design that these other nations have not.

Each policy contains: foundational philosophies; a practical framework, which indicates a place in government, staff resources, and funding; and a mandate that involves implementation and monitoring of results. This thesis has limited itself to comparing the foundational philosophies of different multiculturalisms; it does not claim to "prove" that one multiculturalism has been more successful it is policy implementation than others, although given the fact that these state-sponsored policies have collapsed or been drastically scaled back in all Western nations that once employed them, it is reasonable to assume that Canada certainly appears to have the more successful (albeit still imperfect) policy. In some ways, this yields to the concept of "last player left standing wins." However, as the previous chapters have shown, Canadian policy has had several advantages: a long-term, slow and stable growth pattern, a continual evolution towards anti-racism and more meaningful forms of inclusivity, ongoing support from both left and right leaning political parties, and a highly persuasive potential that has not diminished in the public eye over the years. Additionally, Canadian multiculturalism has avoided the conceptual fashioning of its European counterparts – as a policy for segregated and monitored cultural retention, and it has not had to cope with many of the European
nations' asylum difficulties that have undermined general social stability, and have made multiculturalism an easy scapegoat to blame for lack of social cohesion. Canada's foreign policy has also led it to avoid the extreme sense of “Western versus Muslim” that has emerged in the war nations: Britain, Australia and the United States, and although anti-Muslim sentiment can be disturbingly seen to be on the rise in newspaper depictions of events and general stereotyping, this has not create the same level of “us versus them” mentality in Canada that it has in other Western countries. All of these factors, both what Canadian multiculturalism policy has contained and what it has avoided, have resulted in a situation where the policy remains the last stronghold of official multiculturalism as an overriding, guiding national philosophy in the West at this point in history.

In order to approach issues of diversity in a Canadian context, the thesis firstly proposes a new set of terminology for conceptualizing ethnicity in policy debates. Rejecting the terms “ethnic minority”, “visible minority”, black, and “Third World-looking migrant” as containing problematic aspects of value-laden racial essentialism, the thesis puts forward the term “ethnically framed” to refer to those whose ethnicity is held to be a means of categorizing difference by members of dominant communities. While “white” and “black” could both be considered ethnicities, there is a tendency on behalf of Anglo-Europeans in the contemporary period to conceptualize ethnicity as a term synonymous with racial pigmentation that is not white. (Historically the boundaries of concepts of whiteness have shifted according to varying power dynamics between groups). The term ethnically framed is particularly useful when talking about policies that engage “ethnic minorities” because it highlights the process of constructing ethnicity as difference, rather than accepting (as the terms visible and ethnic minority do) that there is something inherently “ethnic” about these people that “white” people do not share. The thesis proposes the term “historically dominant groups” as a means of referring to Anglo-European “white” people who have had the authority to direct the inclusion of other ethnicities in the national project in any given historical period.

A review of the literature on contemporary multiculturalism reveals a number of claims against the policy, namely that it fosters isolation instead of inclusion, permits
abuses of gender equality, artificially requires ethnically framed people to play up their
ethnicity and difference, and acts to obscure inequalities in society, particularly in the
labour market. For each of these points an analysis is provided, as well as evidence on
claims in favour of multiculturalism. One of the main issues that emerges from this
review of the literature is the divergence between scholars about what the term
multiculturalism actually conveys. There appears to be a fair amount of misinformation
on the policy itself, and many assumptions are made about it without substantiated
evidence.

The review of the literature also examines variations in the multiculturalism
policies of Sweden, Britain, Australia and the Netherlands, highlighting locations where
foundational philosophies (and end results) diverge from Canadian experiences. This
comparison yields the identification of a core difference between Canadian/Australian
multiculturalisms and European models of state-sponsored multiculturalism: in the
former case multiculturalism is conceptualized as a policy for all citizens, whereas in the
latter it is held to be only for ethnically framed people. This distinction raises questions
about whether multiculturalism is fundamentally about providing inclusion into the
mainstream, of about creating locations where ethnically framed communities can retain
their cultural practices in spaces separate from the mainstream (thereby leaving the
culture of the historically dominant group theoretically unaltered). These two
foundational philosophies represent significantly different ways of thinking about
diversity and national inclusion, and provide important clues to the ongoing support of
Canadian multiculturalism.

The philosophical foundations of multiculturalism in each of these nations did not
emerge spontaneously, but were influenced by complex national histories and value
systems. While there wasn’t the opportunity in this work to examine the process of this
development in detail for all Western nations with state-sponsored multiculturalism, a
detailed review of the historical foundations of Canadian multiculturalism is provided.
This review demonstrates that systemic racism was a widely embraced practice in early
Canadian diversity management strategies, and that the treatment ethnically framed
people received from Canada depended largely on the nation’s relationship with their respective country of origin. Citizenship and immigration rights were frequently stripped from individuals on the basis of international politics on the other side of the world, as illustrated by a case study of Asian migration to British Columbia.

This practice was largely halted in official government practices with changes to the immigration policy in the 1960s. This time period marked substantial shifts in the way Canada imagined itself as a nation, and led to what Daniel Weinstock has depicted as the four pillars of “modern” Canadian society – Multiculturalism, Bilingualism, the Just Society, and The Charter of Rights and Freedoms – each of which occupied a different place in the nation, and created boundaries for the expression of the others.\textsuperscript{511}

During this time, the diversity of Canada’s population was increasingly recognized in government proceedings. What emerges from a review of these proceedings is a complex set of distinct and often competing rationales for pioneering multiculturalism as a Canadian policy. In brief, these rationales include: the benefit of a social model that was different from America; the opportunity to demonstrate an elevated level of tolerance to the international community at a time when this value was increasingly highly regarded; a way to resolve Francophone and Aboriginal claims to central political authority; tactics for expanding business to new markets; a means of managing an increasingly diverse national population; and finally, a theoretical commitment to advancing equality through accepting and valuing diverse cultures within the nation.

These rationales informed the early foundational philosophies of Canadian multiculturalism, and as such led to internal contradictions embedded in the policy itself. It is due to these rationales, and to the foundational philosophies they produced, that multiculturalism has proven to be such a politically flexible policy, and why agendas that served the interests of historically dominant groups were not always mutually exclusive to advancing equality for ethnically framed people. An understanding of these embedded contradictions yields a far more complex reading of multiculturalism than many other
models permit, and helps to explain why critics and supporters of Canadian multiculturalism can often both be right when they talk about the policy. Foundational philosophies informed by equality agendas are part of the same policy entity as agendas that disproportionately serve the interests of historically dominant groups. This complexity has been both a challenge and a benefit to Canadian multiculturalism over the years, because it has seen both left and right leaning governments strongly support the policy, helping to solidify multiculturalism in the canon of Canadian values, and yet these competing agendas have often acted to limit attempts to actualize more advanced forms of equality.

The thesis explores two of these limitations in detail; firstly the engagement between gender and multiculturalism, and secondly, the equal right to freedom of cultural practice.

In contemporary times, the claim that multiculturalism is incompatible with gender equality (through its support of cultures that are highly patriarchal) has been a serious challenge that could potentially provide a significant obstacle to the continuation of the policy. If indeed gender equality and the right to cultural retention are mutually exclusive, then logically Canada may soon have to make the choice of which one to support. At least this is the line of thinking that has been suggested by multiculturalism critics such as Susan Okin. However, as this thesis demonstrates through a close reading of Canadian policy and law, this dichotomy is not only false, but it also acts to harmfully racialize women of ethnically framed groups, while downplaying experiences of gender abuse faced by women of historically dominant groups. In most cases it is not culture, but freedom of religion, that conflicts with gender equality, and these sites of conflict are rooted in the concept of the basic human rights package in Canada, of which culture is not a part. It seems entirely illogical then to automatically assume that multiculturalism is responsible for the spread of patriarchal practices, particularly given that these practices occur in virtually all liberal Western nations regardless of the presence or absence of state-sponsored multiculturalism. Indeed, when analyzed closely, this thesis shows that state-sponsored multiculturalism may actually assist in increasing
gender equality, through proving increased access to belonging and inclusion for these women, and by educating Canadians in general about the dangers of racial essentialism in creating equality.

Much of the potential conflict in the debates between gender and multiculturalism is neutralized by the fact that the policy has effectively no capacity to legally guarantee the right to freedom of cultural practice, and therefore individuals can hardly claim, on the basis of multiculturalism, that they should be permitted to perpetrate acts of gender discrimination. But what would theoretically happen to gender equality if the policy were to be given the authority to guarantee the freedom of cultural practice as a fundamental human right under Canadian law?

The final section of the thesis explores how restrictions that are currently in place for freedom of religion could be used as a precedent for a comparable model of cultural rights without compromising gender equality. However, beyond establishing culture as a human right, there are complex issues of individual versus group rights debates to consider. In order to navigate through what has become somewhat of a stale-mate in this binary, a proposal is given for a system of multicultural rights that would take as their model the unrecognized group rights to cultural primacy currently enjoyed by historically dominant groups. Without undermining the right of these groups to maintain their heritage, a method of analyzing cultural normativity is presented, whereby the deeper principles of law are separated from their cultural manifestations. Under the current system, the principles of certain laws, policies and conduct codes are often held to be synonymous with the culturally normative expressions established by historically dominant groups – something that is inconsistent with Canada’s commitment to constitutional multiculturalism. In essence, this system of multicultural rights proposes changes to the foundational philosophy of contemporary multiculturalism to give it the authority to guarantee (in both promise and enforcement) the equal right to freedom of cultural practice for all Canadians. Such a step would be a great advancement in the level of equality the policy is conceptually capable of delivering, to say nothing of the practical results.
Overall, the thesis attempts to demonstrate that it is Canada's longstanding, deeply held commitment to multiculturalism that has allowed this version of the policy to advance beyond the policies of other nations. While there are obvious geopolitical and historical considerations that help to account for the differences between the models, arguably no nation has gone farther than Canada in its commitment to support multicultural equality. Fundamentally, the Canadian experience demonstrates that multiculturalism requires a long-term, deep commitment from the people of the nation, at government, academic, community, grassroots and individual levels, if it is to succeed in the enormous task of aiding in the creation of a peaceful, happy, equality-based society.
Endnotes:


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