The Failure of Multiculturalism

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Abstract

“The Failure of Multiculturalism” investigates the rotting foundations that threaten to destroy the entire multicultural institution in Canada. Trudeau’s vision of multiculturalism, formally articulated in his speech to the House of Commons on October 8, 1971, has been replaced by a superficially similar but substantively different one. While the intentions behind this change may be good, the outcome has been anything but. Instead of working towards equality for all individuals, multiculturalism in Canada today instead devotes itself to a subtle form of cultural gerrymandering. This trend is demonstrated by focusing on the hiring practices of the public sector, the values espoused by contemporary politicians, and the discourse that frames the topic as a whole. Holistically speaking, this thesis is not a rejection of the multicultural argument, because multiculturalism is both a demographic reality and a cultural necessity in the 21st century. It is instead a critical analysis of a discrete set of intellectual and practical trends within the multicultural project that threaten to undermine its tremendous potential.

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Chapter 1: An introduction to the failure of multiculturalism

It is even salutary, I suppose, that multiculturalism be reframed as a doctrine concerning origins rather than as a notion referring to a dynamic process toward a hoped-for future.¹

Many Canadians today will interpret this remark by Myrna Kostash as a simple statement of truth and not the sarcastic observation that it was intended to be. The division of intentions it reflects captures why Canadian multiculturalism is failing. It is ironic that as Canada's population becomes increasingly diverse, Prime Minister Pierre Elliot Trudeau's dream of a Canada built on a foundation of individual rights and cultural pluralism and free of racial conflict and cultural exclusivity seems increasingly distant from reality. In the October 8, 1971 speech that marked the introduction of official multiculturalism, Trudeau began by saying that "for although there are two official languages, there is no official culture, nor does any ethnic group take precedence over any other. No citizen or group of citizens is other than Canadian, and all should be treated fairly."²

Trudeau had foreseen the limits of biculturalism and the growing reality of a multi-ethnic society that needed a kind of nurturing socio-cultural glue that would at once prevent incoming cultures from creating a social cacophony and protect the cultural goods that they brought to Canada from being subsumed within the larger conflict between French and English cultures.

¹ Myrna Kostash, "Eurocentricity: Notes on metaphors of place" in Twenty Years of Multiculturalism, Ed. Stella Hryniuk, St. John's College Press, Winnipeg, 1991.

He saw a multicultural society that could be richer and he acted to support it with a policy of official multiculturalism. Trudeau's vision for the future is effectively captured by his assertion later in that same speech that "a policy of multiculturalism within a bilingual framework commends itself to the government as the most suitable means of assuring the cultural freedom of Canadians. Such a policy should help break down discriminatory attitudes and cultural jealousies."³

The cultural jealousies that he identified have intensified in the thirty-two years since this speech, not just between French and English but also between different ethnicities and between different genders, sexual preferences, and even lifestyles. Although an official policy of multiculturalism was intended to guide Canadian society towards an inclusive poly-ethnic democracy, it has drifted in a darker direction. This is not a minor concern or an issue that is of interest only to those it effects directly. Rather, the future of this country and quality of life for those who live in it will depend upon how effectively Canadians and their political leaders address the mess that multiculturalism has become. Failure to meet the challenge will result in a society that is less hospitable to all Canadians, regardless of their racial heritage or cultural affiliations. Pierre Elliot Trudeau's vision was about cultural freedom. In the 21st century, culture has become a virtual prison.

Although the length of this thesis prevents it from fully exploring every facet of the multicultural debate, this thesis will track the evolution that has occurred during the thirty-two year lifespan of the official policy of multiculturalism and, more importantly, the key political, social, economic, and intellectual values that surround it.

² Prime Minister Pierre Trudeau's speech to the House of Commons on the Report of the Royal Commission on Bilingualism and Biculturalism, Commissioners Andre Laurendeau and Davidson Dunton, October 8, 1971.

The first section offers a brief history of Canadian immigration policy and the effect it has had on the development of a multicultural society. The focus will shift in the second section to the Canadian government's efforts to eliminate racial tension and support immigrant cultures, both before and after Trudeau's watershed speech on multiculturalism in the House of Commons on October 8, 1971.

The heart of this thesis will outline how the core values of Trudeau's vision have been supplanted with superficially similar but substantively different values and purposes. Trudeau's forward-looking, individualistic egalitarian theory should be understood as inclusive multiculturalism, in that it was focused on recognizing and prioritising individual rights and social inclusion without subordinating individual and ethnic identities. The multicultural paradigm that has replaced Trudeau's inclusive multiculturalism is a prisoner of the past, more concerned with rectifying historical injustices than preventing new ones. As such, it will be characterized hereafter as exclusive multiculturalism.

The effect of these changes has been to re-orient the intent and approach of official multicultural programs. More specifically, the once-solid foundations upon which inclusive multiculturalism rests have been replaced by ones that are not nearly as stable. Most specifically, equality has been replaced with parity, empowerment with aggrievement, reciprocity with retribution, and freedom with fetishization. The implications of this transformation that is in progress from inclusive to exclusive multiculturalism is the primary focus of this thesis.

³ House of Commons, Debates, 8 October 1971, p.8545.

Some examples of multiculturalism in action will be described to put some practical meat on these conceptual bones. First, the growing support for a politics of recognition will be discussed. The most prominent feature of this politics is the demand for representation in Canada's public and political institutions that reflects the ethno-cultural makeup of the population. Second, the hiring practices of the public sector and the employment equity programs will be evaluated. Third, the compensation given by the Mulroney government in 1988 to relatives of Japanese Canadians who were interned during the Second World War will be used as a guide in describing both the shift from reciprocity to retribution and the powerful effect that the past has on contemporary multicultural politics. Central to this analysis is the question of whether multiculturalism can be invoked as a supporting argument for similar claims made by other ethnic groups due to perceived historical injustices.

This thesis does not argue that multiculturalism is a conceptual failure. Far from it, in fact. Canada officially embraced cultural diversity in 1971 because it was a dynamic economic, social, and cultural force. Today, other countries around the world are just now making the same conclusion. Perhaps more importantly, globalization and its ability to connect people and cultures from around the world and thus make national and cultural borders increasingly superfluous, will make multiculturalism a statistical reality in short order. Instead, multiculturalism in Canada is failing because it was not supported effectively, allowing an alternative discourse to supplant the values that defined Trudeau's vision.

To that end, Michel Foucault's discourse on language will be used as a framework within which the role that language can and does play in supporting, criticizing, and managing multicultural discourse will be discussed. This thesis will then examine the public discourses that frame the debate, criticizing the arguments of both the political right, who are hostile towards multiculturalism, and the left, which tends to defend it even as it transgresses the fundamental egalitarian values of social democracy that were central to Trudeau's vision. Both arguments contain fatal flaws and will be exposed. More generally, the conventional understandings of the core intellectual building blocks that are the foundation of inclusive and exclusive multiculturalism will be evaluated. From the nature of identity and groups to the very meaning of culture itself, these central concepts will be unpacked.

Most importantly, this thesis will ask the questions that are not being asked about multiculturalism. Neil Bissoondath, a Trinidadian-born writer and critic of the contemporary multicultural discourse, captures the critical importance of the task that this thesis undertakes in this quote from his award-winning book *The Cult of Multiculturalism*.

...Multiculturalism has, over the years, acquired aspects of a holy cow for many, a cash cow for some. Both are dangerous creatures. Standing on consecrated ground, they resent being disturbed and, when challenged, are inclined to bite. But a society that wishes to remain healthy and to grow must, from time to time, stare the holy cows down; it must probe and question them, and decide on their merits and usefulness. To fail to do so is to atrophy.⁴

⁴ Neil Bissoondath, *Selling Illusions: The Cult of Multiculturalism in Canada*, Penguin Books, Toronto, 1994: 6

Methodologically speaking, this thesis does not create, test, and evaluate a specific hypothesis. Instead, it provides a holistic evaluation of a particularly large and multifaceted piece of public policy. This evaluation is performed using a process of intellectual encirclement. Later in this thesis, particularly chapters four through seven, snapshots are taken of particular elements of the topic. Each intellectual snapshot is taken from a different perspective and is of a different sub-topic. After these individual snapshots have been analyzed they are tied together by a Foucauldian discourse analysis, weaving the particular parts into a cohesive whole. In essence, this thesis maps the creation and protection of a discourse from its origins to the present day. It does not try to provide answers or demonstrate a particular truth, but rather works to problematize a subject that is wrought with common wisdom that is itself under-supported by reliable, testable information.

Before beginning, a metaphor will be helpful in understanding the central argument of this thesis. Multiculturalism can be seen as a building. Trudeau's plans, the blueprint for the building, were bold and ambitious. It would provide safety, warmth, and most importantly a home for the entire family of Canadians. But while the plans were sound, others who had differing agendas or no coherent understanding of the building's purpose carried out its construction. As a result, while it might look from a distance as if it is functional, perhaps even in excellent shape, closer inspection reveals that cracks are forming, leaks are developing, and the foundations are beginning to rot. This thesis examines the multicultural discourse from an intimate distance, highlighting the numerous cracks and fissures, discussing how they were formed, why they have gone unseen, and what might be done to fix them.

Chapter 2: Investing in Immigration

As Prime Minister Jean Chretien reiterated after the terrorist attacks of September 11, 2001, on the World Trade Centre in New York, Canada is a nation of immigrants. Responding to an assertion that immigrants presented a substantial security threat, Chretien observed that “there are millions and millions of people who would give the last penny they've got to come and have the Canadian passport, and it is the way Canada will remain – an open country that welcomes people from all over the world.”⁵

Canada has, in fact, always been a nation of immigrants. While the First Nations communities are often exempted from this characterization, even they migrated from Asia to this continent relatively recently across a temporary land bridge formed during the Ice Age. Canada's history has been defined by the experiences of the millions of people from hundreds of different cultures that decided to come to Canada. Their reasons for coming to Canada are as varied as the individuals who emigrated, from a wish to escape economic or political turmoil abroad to the pursuit of opportunity and a better life in a new land or simple curiosity and love of adventure. Whether French, English, Italian, or Somali, they have each brought their own particular cultural characteristics, beliefs, strengths, and weaknesses. These have shaped the physical, cultural, and political landscape accordingly.

In the early days, immigrants had to struggle with the landscape before they had the leisure to overcome racism, bigotry, and culturally motivated discrimination. Cold and inhospitable, Canada's landscape and climate presented the greatest challenge to its early settlers. Jacques Cartier and John Cabot established beachheads for France and Britain respectively in the Northeastern corner of the country. While Cabot tried to establish a home for the English in Newfoundland, Cartier laid the groundwork for a new French territory in Quebec. The community that Cabot established struggled to survive the cold winters and frequent food shortages, while Cartier's New France enjoyed slightly greater success. This success caught the eye of Paris, and in 1663 Jean Baptiste Colbert, King Louis XIV's finance minister, abolished the commercial cartel called the One Hundred Associates and ended the era of company rule. Thereafter, it became a royal province ruled from the New World by an intendent.

In contrast, the British decided against dedicating their resources to establishing a royal colony north of the 49th parallel. Instead, King Charles II granted a trade monopoly to the newly formed Hudson's Bay Company in 1670. This didn't prevent them from coming into conflict with the French, and over the next 80 years British forces frequently skirmished with their French counterparts. From King William's War in 1689-97 to Queen Anne's War in 1702 and the French and Indian War that peaked in 1755, the New World was the site of repeated conflict between the two great powers. In 1748 the British made its first serious foray northwards, establishing Halifax. They proceeded to expel the Acadians from Nova Scotia and, in 1757, invade New France to begin the Seven-Year War, the Canadian counterpart to the French and Indian War down south.

⁵ Quoted from a speech delivered at a Liberal fundraiser in Toronto on Monday, September 24, 2001. The full text can be found at http://www.cbc.ca/cgi-bin/templates/view.cgi?/news/2001/09/25/pm_speech010925

After Montcalme's defeat at the hands of General Wolfe on September 13, 1759, at the Plains of Abraham, the British established a measure of dominance in the Northern portion of the New World.

The battle for economic dominance in the New World was also vigorously contested. For the English, North America was as much a territory for mercantile exploitations as it was a political possession. The New World was a new market that offered both resources for extraction and a domestic market for the sale of manufactured goods. After the defeat of France and the American Revolution, this exploration and settlement of British North America was carried out as a subsidiary of the struggle for market-control was primarily between the Hudson's Bay Company, a creature of the British Crown, and the NorthWest Trading Company, a coalition of Montreal-based merchants and Metis traders created in 1779. The NorthWest company refused to recognize the Hudson's Bay Company's trade monopoly in Rupert's Land, and the Hudson's Bay Company had no real way to enforce it.

The next twenty-five years saw both companies expanding westwards, with the competition forcing both companies to expand west up the river systems of western Canada to the Rocky Mountains. By the 1800s both companies had established trading posts in the foothills of the Rockies, with the NorthWest Trading Company sending explorers such as Alexander Mackenzie, Simon Fraser, David Thompson, and Duncan McGillvery across the mountains and into British Columbia.

Together, the competition led indirectly to the opening of the west, with the traders from both companies collectively mapping the lengths of the Saskatchewan, Churchill, Athabasca and Peace rivers to their sources, and following both the Fraser and Columbia rivers to the Pacific and the Slave and McKenzie rivers to the Arctic. They also discovered important passes through the Rockies, allowing traders to establish outposts in British Columbia.

The more aggressive approach pursued by the NorthWest Trading Company allowed it to establish control over the market. By 1795, the Hudson's Bay Company's share of the trading economy was one-fifth that of the NorthWest Trading Company. But after a number of aborted attempts by the NorthWest Trading Company to buy out their rival, a depressed European fur market created by the Napoleonic Wars forced the two to merge. On March 26, 1821, the companies merged under the name "Hudson's Bay Company," combining the assets of both companies and re-establishing a functional monopoly over the Rupert's Land territories. In essence, the economic competition between the two companies subsidized the exploration of the Canadian west and would, in turn, lead to its development and established the conditions necessary for the arrival and settlement of millions of immigrants.

Early immigration to the British dominion came almost entirely from Europe. In the Maritimes, there were British Catholics who settled in Antigonish and Cape Breton, the Yorkshire Methodists of Cumberland, and the Baptist New Englanders who settled near the Bay of Fundy.

There were also pockets of black immigrants coming from the United States who settled near Dartmouth, and a more substantial group of British Empire Loyalists who fled the American Revolution and settled in Shelbourne and Annapolis. The Loyalists were the first major influx of immigrants that came to Canada since the British victory at the Plains of Abraham in 1759. They arrived in increasingly large numbers, peaking around 1784 at the height of the American Revolution.⁶ While precise figures are not available, an estimated 35,000 Loyalists settled in the Maritimes with an additional 5,000 settling in Upper Canada⁷.

Settlement patterns were determined largely by land economics and availability, as immigrants moved west as the prime lakefront and riverside locations were taken. Waves of immigrants fled the crowded British Isles in search of opportunity and the prospect of free land, and Upper Canada's population grew accordingly. To meet this rising demand the Canada Company bought 800,000 acres from the Protestant clergy⁸ and 1,322,010 of crown reserves and controlled the administration of these new lands. By 1833 almost all of the fertile tracts of land were taken in Southern Ontario, and people began to look elsewhere. By the 1860s most immigrants were absorbed by rural consolidation and urban development.

⁶ <http://www.linksnorth.com/canada-history/theunitedempire.html>

⁷ <http://www.linksnorth.com/canada-history/theunitedempire.html>

⁸ One-seventh of all land in Canada was set aside in 1791 for each the Protestant clergy and the government of Canada. Revenues derived from clergy lands were to support the Protestant church in Canada, while revenues earned from crown lands were to support the government of Canada. In fact, these reserved lands were one of the irritants that precipitated the failed rebellions by Louis Joseph Papineau in Lower Canada in 1837 and William Lyon Mackenzie in 1838 in Upper Canada. The Canada Company was able to purchase 1,322,010 acres, being all Crown Reserves still not leased in townships surveyed before March 1, 1824 plus 1,000,000 acres in the Huron Tract at the rate of 3s. 6d. per acre over a twenty year period. The total purchase money was £2,484,413 sterling.

Settlement in the Northwest of Ontario was far less rapid, as the difficult conditions and hostile landscape made living difficult for those brave enough to try: “this entire landscape, home of the hardest rock in the world, eventually emerged as a place of marginal settlement where resources and not land became the early attraction.”⁹

If life was difficult in Northern Ontario, it was harder still if one travelled further west. The Hudson’s Bay Company controlled almost everything North of the 49th parallel and West of Upper Canada, then called Rupert’s Land, and used it to collect furs and other resources for sale in European markets. There were a few settlements in the West, from Lord Selkirk’s Red River Colony in Manitoba to Sir James Douglas’s Fort Victoria, the administrative and supply headquarters for the Hudson Bay Company’s western operations. The population of what is today British Columbia increased substantially in the middle of the 19th century as gold was discovered in the Cariboo region. American and European prospectors flowed into the area in search of their own fortune, and in 1858 some 30,000 people lived a rugged and provisional frontier existence. When the gold disappeared they left with it, and the West remained largely unsettled.

From the middle of the 19th century until the First World War, immigration policy was part of a larger set of national policies aimed at building a cohesive political and economic unit. These policies included the creation of three transcontinental railways, the imposition of tariff barriers on secondary manufactured goods, and a generous land policy designed to encourage greater settlement of the west.

⁹ http://collections.ic.gc.ca/heirloom_series/volume1/chapter5/146-150.htm

As Alan and David Green observe in “The Economic Goals of Canada’s Immigration Policy,” these policies “were meant to tie Canada together into an integrated whole with a strong eastern manufacturing sector selling its wares to an expanding western resource centre.”¹⁰

More specifically, the stated goal of Canadian immigration policy was to encourage farmers, farm workers, and “female domestics” to settle in Canada’s developing west. This was made possible by the Canadian government’s acquisition of Rupert’s Land from the Hudson’s Bay Company in 1869 for 300,000 British pounds. Canada received over 3.9 million square kilometres of largely uninhabited, and sometimes uninhabitable, land in the deal. The government supported their investment with the Dominion Lands Act, passed in 1872, to encourage the settlement of the west. Under the terms of this act the government provided 65 hectares of free land to each head of a family or 21 year old male if he paid a \$10 registration fee, resided on the land for three years, cultivated 12 of the acres for agricultural purposes, and built a permanent dwelling.

Combined with the creation of a national railway system this set the stage for a massive migration to and settlement of the Canadian west. Once the last stake was driven into the ground in Yale, British Columbia, in 1885, the biggest development project in Canadian history began. It would encourage the Canadian government to allow more immigrants into the country than ever before and create the conditions for even greater levels of immigration.

¹⁰ David Green and Alan Green, “The Economic Goals of Canada’s Immigration Policy: Past and Present” in Canadian Public Policy, 25, December 1999, 427.

The next thirty years saw an unprecedented number of immigrants come to Canada. At this point, Canada was still an overwhelmingly European country. In a census taken in 1871, 60.5% of the 3,846,000 Canadians were of British origin and another 31.1% of French roots. As the American government cut down on immigration and good land in Upper and Lower Canada becoming increasingly hard to find, immigrants settled in the Canadian Prairies, the world's "last best west." With an increase in the price of grain and a decrease in the cost of consumer goods, agricultural manufacturing tools and building supplies, settlement in the west became an appealing prospect. In spite of government policies that ostensibly tried to limit immigration, the demand for and supply of immigrants was overwhelming.

The growing economy needed immigrant labour to feed further expansion, and as a result Canada experienced the biggest percentage increase in population during the early 20th century. For example, 400,870 immigrants came to Canada in 1913, marking the highest number of immigrants in a single year since Confederation. Only the First World War slowed this trend, and its effect was temporary. An order in council by the Canadian government required those coming to Canada to have \$250 in landing money. In 1921 visas became a requirement for immigration. Once again, the demands of the economy and the supply of people coming to Canada overwhelmed government policy. Immigration levels recovered after the conclusion of the First World War, peaking at 166,784¹¹ in 1928. But, once again, international events suppressed immigration to Canada where government policy could not.

¹¹ <http://www.statcan.ca/english/Estat/guide/track.htm>

Figure 1: The relationship between world events and immigration to Canada.

After October 29, 1929, and the subsequent arrival of the Great Depression, the need for migrant labour to fuel a growing economy vanished. As the economy shrank and thousands of people lost their jobs, their possessions, and their homes, immigrants no longer enjoyed the opportunities that they might have twenty years ago. The work of Arthur Lower, a prominent historian at Queens University, was indicative of the prevailing attitude at the time towards immigrants in Canada. Lower's central thesis, widely cited by his contemporaries, was that in a given geographical area there are limits to the desirable level of human population. With most of Canada's north being largely inhabitable and inhospitable, Lower argued that Canada was overpopulated.

He used the metaphor of a ship to help explain his thesis:

...the country, in short, may be likened to a ship which can carry comfortably only a fixed number of people, crew and passengers. If she takes on a number of passengers in excess of her complement, there is only one way of compensating for it: some of the crew must be left behind. To provide room in the ship of state for immigrants, we have had to embark a large proportion of our own children for the voyage of life in another vessel, the good ship United States.¹²

He concluded that, henceforth, would only be needed in “exceptional” circumstances.

History obliged with the Second World War, which created the domestic economic and social conditions that stimulated another wave of immigration to Canada.

This third main wave of immigration was fundamentally different in character from the two that preceded it. While previous immigrants were largely of British or French origin and fed a growing economy with cheap labour, the third wave was defined by a more diverse group of migrants with a more sophisticated set of skills, professions, and trades. They also tended overwhelmingly to settle in the major urban centres across the country instead of populating the countryside. New immigrants accounted for over two thirds of the increase in the Canadian workforce between 1950 and 1955¹³, a fact that is particularly significant considering the fact that hundreds of thousands of World War II veterans were re-entering the workforce at the same time.

Immigration levels recovered quickly after the conclusion of the Second World War, increasing four-fold from 71,710 in 1946 to 282,164 in 1957.

¹² Alex Greer, “Canadian Immigration: An Earlier Perspective” in The Journal of Social, Political and Economic Studies, 18: Winter 1993: 478.

¹³ <http://www.statcan.ca/english/Estat/guide/track.htm>

The Second World War was fundamentally different from the first in that cities and towns were the site of battle and massive destruction of civil infrastructure. In contrast, the First World War was fought in a confined area of Eastern France and Northern Italy. As Europe recovered yet again from the ravages of war, many of its citizens decided to build a life on the other side of the Atlantic Ocean. Unlike previous patterns of immigration to Canada, this third main wave featured far more immigrants from North-Eastern and Southern European countries, and they settled overwhelmingly in Toronto and Montreal and their outlying suburbs.

The landslide electoral victory by John Diefenbaker's Progressive Conservative Party in 1957 served to slow the flow of immigrants to Canada, as the Tories were far less supportive of immigration than were St. Laurent's Liberals. Concerned about both the threat of a recession and an increasing supply of unskilled workers coming into the country through family sponsorship allowances, the Conservative Government made occupation the primary selection criterion for immigration to Canada. Immigration levels fell to 71,689 immigrants in 1961.

Ironically, the Diefenbaker government's move to limit immigration and the consequent emphasis on occupation and skills built the foundation for a less racially discriminatory immigration policy. This foundation was consolidated by the government's decision to remove all racial restrictions, outlined in a statement given in 1962 by Minister of Immigration and Citizenship Ellen Fairclough:

The key to our immigration policy will be the consistent application of proper selection standards designed to bring the best possible settlers to Canada.

I am sure all Canadians agree that once these standards are established they should be applied consistently to all who seek admission to this country, except where the admission of the immigrant is based on compassionate grounds or on close relationships.¹⁴

This symbolic statement was confirmed by an Order-in-Council on October 1, 1967 establishing a point system as the criteria with which immigrants would henceforth be judged. The point system created an objective scale based on age, language, education against which applicants would be judged, and was, as Green and Green observe, “the first major step to limit the discretionary powers of immigration officers and to provide them with a set of explicit guidelines.”¹⁵ The point system also reinforced immigration’s role as an economic tool. The assignment of points to various occupations were adjusted quarterly and exerted a decisive impact on whether a given applicant would succeed or not. For example, in 1967 an applicant needed 50 out of a possible 100 points to be admitted, and 40 per cent of the possible 100 points were based upon the assessment of predicted short-term success in the applicant’s intended occupation.¹⁶ Skill, not skin colour or language, was now the primary determinant of immigration policy.

Paired with a strong economic recovery, immigration levels again began to rise, with 222,876 immigrants coming to Canada in 1967. The shift in immigration policy away from discriminatory racial or cultural qualifications set the stage for the arrival of new groups of immigrants from different parts of the world. In 1968 the Liberal Party of Canada selected Pierre Trudeau as their next leader and Canada’s next Prime Minister.

¹⁴ Green and Green, 431.

¹⁵ Green and Green, 431.

¹⁶ Ibid, 432.

After a decisive victory in a national election later that year, Canada had a Prime Minister who understood the changes in society that were afoot and soon took decisive action to support them.

The stage was set for a fourth wave of immigration that would make Canada a visibly multicultural society. Immigration levels experienced wild swings due to shifting economic conditions, falling between 1974 and 1978, rising from 1978 to 1980, then falling again from 1980 to 1986. The point system was adjusted amid the recession of the 1970s because applicants could earn the requisite 50 points without having a desirable skill. As a result, a 10-point penalty was imposed upon applicants who did not have a pre-arranged employment placement. But according to Green and Green, because of its relatively small effect on the overall score needed for a successful application, it did not reduce the number of unskilled immigrants admitted to Canada.

A new *Immigration Act* introduced on April 10, 1978 fundamentally reoriented the goals of immigration in Canada once again. Humanitarian goals took precedence over economic ones, as illustrated by the three main goals described in the Act: “(i) to facilitate the reunion in Canada of Canadian residents with close family members from abroad; (ii) to fulfil Canada’s legal obligations with respect to refugees and uphold its humanitarian traditions; (iii) to foster the development of a strong and viable economy in all regions of Canada.”

As Green and Green observe, “under these provisions family members and refugees were given top processing priority and Canada was committed to bringing in a substantial number of refugees each year, rather than just in emergency situations.

This forced a reduction in the share of immigrants who were assessed and represented a shift away from a policy focused on economic goals.”¹⁷ This shift in policy coincided with an increase in the number of refugees in the in the 1970s and particularly the 1980s due to a more volatile international political environment. For example, while there were only 1.2 million refugees worldwide in 1966, that number had increased to 12 million by 1989. Many of these migrants came from Asia, and Canada’s immigration figures reflect that reality. Asian immigrants became the largest group of new arrivals to Canada, accounting for 50% of immigrants after 1976 versus only 11% before 1976.¹⁸

Economic goals did not take a back seat in Canada’s immigration policy for long. In 1985’s *Annual Report to Parliament on Future Immigration Levels* a concern was expressed that Canada’s demographic trends, namely an aging population and low levels of fertility, would lead to a declining population just after the turn of the century if immigration levels were not raised. The report also expressed a desire to elevate the importance of economic goals, but not at the expense of the humanitarian responsibilities outlined the 1978 *Immigration Act*. The result was a steady increase in immigration, from 83,402 in 1985 to 152,098 in 1987.¹⁹ This trend continued into the 1990s and led to the highest levels of immigration in Canadian history with over 2 million²⁰ people deciding to make Canada their new home.

¹⁷ Green and Green, 432.

¹⁸ Jane Badets, “Canada’s Immigrant Population,” in *Canadian Social Trends*, Autumn 1989, 3.

¹⁹ Green and Green, 434.

²⁰ Statistics Canada.

Immigration policy under Jean Chretien's Liberal government strengthened the commitment to an immigration policy driven by economic goals. *Into the 21st Century: A Strategy for Immigration and Citizenship*, a 1995 strategy document, outlines three core goals of immigration policy. First, immigration levels are to be maintained at 1 per cent of the overall population, although this figure was a guideline rather than a fixed goal. Second, refugee applicants were moved out of the general system into a different one with its own resources and goals. Finally, the document expressed a clear commitment to achieving "approximate equality" of the family class and assessed inflows. Green and Green conclude that "all of these elements point to a continuation of the trend towards an enhanced role for the economic component of the inflow."²¹ From the development of the economy of Upper Canada to the settlement of the west to matching immigration with short and medium-term demands of the Canadian economy, immigration has always had an important economic dimension.

Economic goals will continue to play an important role in the formulation of immigration policy in Canada. There are core demographic trends that will ensure that immigration levels remain, at an absolute minimum, 150,000 per year. The combination of an aging population, and a related increase in the mortality rate of the general population, and a declining birth rate in Canada mean that immigration is needed to sustain the size of the work force and prevent the Canadian population from declining. As the population continues to age, immigration will slow this process and help to maintain a viable and productive work force.

²¹ Green and Green, 435.

Already, immigration plays a substantial role in the replenishment of the work force, as the contribution of net immigration to labour force growth has increased from 9.6 percent in 1976-81 to 71.0% between 1991-1996. With no net immigration the size of the Canadian workforce would begin to decline in 2006 and the economy would soon follow.

In addition to maintaining the size of the workforce, immigration keeps it from aging too rapidly. According to the Urban Futures Institute, without immigration Canada's population 65 years of age and older would increase from its current 12% of the population to 27% in 2045. With immigration of 210,000 per year (assuming the age profile of immigration remains as it has been over the past decade), the 65 and older population would increase to only 23% of the total population by 2045, and with a 1% immigration rate it would increase to only 21%.²² It is hardly a profound observation but it should be clear from these numbers that Canada does not have the option of reducing immigration levels.

Two trends in the pattern of immigration to Canada during the past twenty-five years deserve further attention. First, immigrants are coming in increasing numbers from non-European, non-English and non-French countries like Hong Kong, Philippines, India, China, Taiwan, Sri Lanka, Pakistan, Bosnia-Herzegovina, and Iran.²³ This is clearly a more diverse group than previous generations of immigrants.

²² Urban Futures Institute

²³ 2001 Census data courtesy of Statistics Canada.

Figure 2: Immigrants to Canada by country of birth²⁴

Second, immigrants also began to settle almost exclusively in Canada's major urban centres. 94% of immigrants who arrived during the 1990s live in cities, 78% of which settled in Toronto, Vancouver, and Montreal.²⁵ This trend has transformed Canada's major cities into truly post-modern, post-national cosmopolitan centres. According to the 2001 census there are 1,338,090 visible minorities living in Toronto, 564,590 in Vancouver and 401,410 in Montreal.²⁶ It cannot be emphasized enough how important this change in the tradition of settlement was to the cities. Rather than settling in the suburbs or the countryside, they settled in the heart of Canada's biggest cities and changed them in the process.

²⁴ Statistics Canada, E-STAT.

²⁵ 2001 Census data courtesy of Statistics Canada.

²⁶ Ibid.

Figure 5: Visible Minorities as a proportion of the overall population, organized by major Canadian urban centres.²⁷

Canadian immigration policy has shaped the physical, cultural, and economic development of Canada. It continues to exert an importance influence on the face of the Canadian public. As of May 15, 2001, 18.4% of the Canadian population, or 5.4 million people, were born outside the country, the highest level since 1931.²⁸ The effects of the pattern of immigration in the twenty years after Trudeau's declaration of official multiculturalism were beginning to manifest themselves. For example, while in 1957 over 90% of Canada's immigrants were originally from Britain or continental Europe, in 1997 that figure had dropped to 18%.²⁹

Further, the percentage of people in Canada that are of non-British and non-French origin has increased from 25.8% in 1961 to 41.4% in 1991.

²⁷ Statistics Canada, 2001 Census.

²⁸ 2001 Census data courtesy of Statistics Canada.

The percentage of Canadian residents of European origin dropped from 22.6% to 15.4% during the same time period and the percentage of Canadians who are visible minorities increased from 3% to 9%. Finally, massive immigration in Canada's urban centres has made those of English or French ancestry the minority, one of the surest signs of a maturing multicultural society. This combination of more newcomers from different parts of the world has fundamentally changed the face of Canada and the fabric of Canadian society. It is now time to investigate how the government of Canada has responded to these profound demographic changes.

²⁹ Statistics Canada.

Chapter 3: The government response to a changing society

The Canadian government's response to these dramatic changes in the composition of society has shaped the way these immigrants relate to their new country and their experiences in it. The removal of race and culture-based restrictions in immigration policy was the first step in the direction towards government policy that views immigrants as more than labour market fodder. There have been many other smaller, yet still important, steps that deserve attention. One of these earliest efforts was the Royal Commission in 1963 on Bilingualism and Biculturalism that examined the contribution of non-British and non-French ethnic groups to the cultural enrichment of Canada, as well as the measures that should be taken to safeguard them.

The Commission discovered that a number of groups had a clear sense of their own identity and a desire to maintain that unique identity within the larger cultural, legal and social framework of Canadian society. The Commission concluded that diversity was beneficial, that it enriched culture and society, and that it facilitated interaction with the rest of the world. This is self-evident today but forty years ago it was a significant conclusion. The Commission recommended official recognition by the government of Canada of non-traditional cultural groups and their activities, and specifically encouraged the federal government to fund projects on the history, social organizations and folk arts of cultural groups other than French and English.³⁰

On a symbolic level it constituted a rejection of the “melting pot” model, an approach to immigration based on assimilation. Instead, it encouraged a more conciliatory policy centred on integrated diversity. This was a major philosophical change and a fundamental break from the American model. While the American “melting pot” model presupposed that immigrants benefited from their new country, Canada was moving towards one that believed the country benefited from its immigrants.

The arrival of Trudeaumania in 1968 marked the beginning of a sixteen-year Liberal government, briefly interrupted by Joe Clark’s Conservative minority government in 1979. While historians and politicians tend to focus predominantly on the last four years of Trudeau’s time as Prime Minister during which he repatriated the Canadian constitution and entrenched a Charter of Rights and Freedoms, his first four years in office from 1968 to 1972 may have had as great an impact on Canadian society. Perhaps the highlight of those years was the speech given in the House of Commons on October 8, 1971, in which Prime Minister Trudeau introduced an official policy of multiculturalism that recognized the importance of non-English and non-French cultures in Canada.

Although the rest of the Liberal government and the federal political culture lacked the will to carry through with decisive legislation supporting this largely symbolic decision, it remains true that Canada became the only nation in the world whose government officially recognized that immigration was a positive force and that diversity was a valuable cultural asset under the right circumstances.

³⁰ The Royal Commission on Bilingualism and Biculturalism, Book IV, The Cultural

Some have suggested that Trudeau supported official multiculturalism in an attempt to diminish the claims of Quebec nationalists and their two-nations rhetoric.

They might also have argued that as a student of Canadian history, Trudeau subscribed to Lord Acton's wisdom that in order to prevent one cultural group from dominating others one needed to create a situation where no majority existed at all.

But the argument that Trudeau's support of multiculturalism stems from entirely strategic considerations seems unlikely, for three reasons. First, the lack of supporting legislation meant that Trudeau's statement was a symbolic gesture and one that lacked the ability to effectively diminish the claims of Quebec nationalists. Second, the success of Rene Levesque, Jacques Parizeau and the Parti Quebecois over the next twenty years suggests that if the motivation behind Trudeau's endorsement of official multiculturalism was less than pure, his strategy was ineffective at best. Third, the Parliament of Canada gave unanimous consent to the government's policy of official multiculturalism on October 8, 1971, a result that would have been unlikely had official multiculturalism presented a viable threat to the interests of Quebec.

A more generous interpretation would identify multiculturalism as part of Trudeau's broader commitment to creating and preserving Canadian unity. As he stated in his address to the House of Commons on October 8, 1971, "national unity if it is to mean anything in the deeply personal sense, must be founded on confidence in one's own individual identity; out of this can grow respect for that of others and a willingness to share ideas, attitudes, and assumptions.

A vigorous policy of multiculturalism will help create this initial confidence. It can form the base of a society which is based on fair play for all.”³¹ National unity, not crude political calculus, was the more probable motivation behind Trudeau’s endorsement of the Royal Commission’s recommendations and support for an official policy of multiculturalism.

While official multiculturalism lacked legislative support, it did receive sporadic financial assistance. From 1971-79 over \$200 million was devoted to special initiatives supporting the policy and a multicultural directorate was created within the Department of the Secretary of State to assist in the implementation of multicultural policies and programs. In 1973 this directorate was given a Minister of its own and tasked with monitoring the implementation of funding. An advisory body, the Canadian Consultative Council on multiculturalism, was set up to link the government with ethnic organizations and to provide the latter with an institutional input in the decision making process.

Official multiculturalism, like many other programs, policies, and issues, was swept aside in the early 1980s by Trudeau’s constitutional crusade and the transition to Brian Mulroney’s Conservative government. It was finally revisited in-depth in June of 1987 in a report of the standing committee on multiculturalism, officially titled the *Mitges Report*. The report was essentially a wishlist from Canada’s ethnic minority interests and recommended, among other things, doubling funding for ethno-cultural groups within 4 years and giving the Minister of Multiculturalism responsibility for citizenship, Canadian studies, cultural support programs, the Canada Council, and immigration.

³¹ House of Commons, Debates, 8 October 1971, p.8545.

In response, the Conservative government adopted the *Canadian Multiculturalism Act* in July of 1988, Bill C-93. The act avoided the extremes contained in the *Mitges Report* but clarified the purpose and direction of official multiculturalism. It finally described in law the responsibility of federal institutions to reflect Canada's multicultural reality and implement multicultural policies.

It also gave the Minister of Multiculturalism special co-ordinating and advocacy roles to help implement the act, and provided a legislative basis for multicultural programs. Its stated objectives were primarily "to assist cultural groups to retain and develop their identity....to assist members of all cultural groups to overcome cultural barriers to full participation in Canadian society...to promote creative encounters and interchange among all Canadian cultural groups in the interest of national unity....and to assist immigrants to acquire at least one of Canada's official languages."³²

The act rolled seven existing programs into three, the Heritage Cultures and Languages Program, the Community Support and Participation Program, and the Race Relations and Cross-cultural Understanding Program. The Heritage Cultures and Languages Program was legislated into existence with Bill C-37, the Canadian Heritage Languages Institute Act, which was introduced in the House of Commons in September of 1989 and adopted in January of 1991. It provided for the establishment of the Heritage Languages Institute in Edmonton with the purpose of developing national standards for teacher training and curriculum content for ethnic minority language classes in Canada.

It also supported the endowment of ethnic chairs of study at Canadian universities, the creation of a special category of Gemini/Geméaux Awards, and the researching of all archival film material depicting the immigrant experience in Canada. However, the 1992 budget tabled by Finance Minister Don Mazenkowski deferred the establishment of the CHLI until further notice.

The Community Support and Participation Program funded agencies serving recent immigrants and advocacy groups that encouraged first-generation Canadians to participate as full and equal citizens and multicultural centres and local community development organizations dealing with issues relating to subcategories like youth, the elderly and women. The Race Relations and Cross-Cultural Understanding Program, created by Bill C-63 which was also adopted by the House of Commons in January of 1991, established a Race Relations Foundation in Toronto with the purpose of helping to eliminate racism and racial discrimination through public education.

While the Mulroney government deferred funding for this institution as well, it finally received the financial backing of government at the end of October of 1996 when Hedy Fry, the Secretary of State for Multiculturalism, announced the establishment of the Foundation with a one-time endowment of \$24 million in federal funding. Finally, legislation creating a department of multiculturalism and citizenship, now the department of citizenship and immigration, was introduced in the fall of 1989 and adopted in early 1991.

³² Multiculturalism: Building the Canadian Mosaic, Report of the Standing Committee on Multiculturalism, Gus Mitges, M.P. Chairman, June 1987, pp. 41-42.

Taken together, the governments of the past thirty years have provided sporadic support, at best, for Trudeau's symbolic recognition of the practical reality of multiculturalism. In so doing they missed an opportunity to control the discourse around the policy and follow through on Prime Minister Trudeau's vision. Instead, this vision had been appropriated, altered, and adjusted by groups that see multiculturalism in very different terms. Instead of a multicultural society that is based upon equality, merit, and a respect for the individual, Canadians live in a multiracial society that is beset by a divisive and closed multicultural discourse. Cultural minorities are subject to far less racially-motivated discrimination than they were thirty years ago, but there is still a long road ahead. The new multicultural orthodoxy will almost certainly lead Canada in the wrong direction.

Before examining this new stream of multicultural thinking, a more detailed description of Trudeau's multicultural vision is in order. In the speech that marked the beginning of official multiculturalism in Canada, delivered in the House of Commons on October 8, 1971, as the official government response to Volume 4 of the report of the Royal Commission on Bilingualism and Biculturalism, Trudeau outlined a policy that rested primarily on four principles and one subject-position.

Trudeau's multiculturalism recognized the contributions of cultural groups, but it was more concerned with the role of the individual. Trudeau concluded his October 8 speech by asserting "I wish to emphasize the view of the government that a policy of multiculturalism within a bilingual framework is basically the conscious support of individual freedom of choice. We are free to be ourselves.

But this cannot be left to chance.”³³ Building upon that foundation, the first core principle of Trudeau’s multiculturalism was equality. It privileged no culture and excluded none. Philosophically speaking, equality is concerned with creating the proverbial level playing field so that everyone is free to socialize and compete on equal terms.

Second, Trudeau’s multiculturalism was about empowerment. Again, philosophically speaking, if multiculturalism is to succeed, members of minority groups must be provided with the opportunity to participate in general society without fear of rancour or discrimination. Trudeau believed that a multiculturalism built on empowerment would contribute to national unity for everyone, arguing, “national unity if it is to mean anything in the deeply personal sense, must be founded on confidence in one’s own individual identity; out of this can grow respect for that of others and a willingness to share ideas, attitudes and assumptions. A vigorous policy of multiculturalism will help create this initial confidence. It can form the basis of a society which is based on fair play for all.”³⁴

Third, multiculturalism involved reciprocity. Again, in Trudeau’s words: “The government will seek to assist all Canadian cultural groups that have *demonstrated a desire and effort* to continue to develop a capacity to grow and contribute to Canada, and a clear need for assistance, the small and the weak groups no less than the strong and highly organized.”³⁵

³³ House of Commons, Debates, 8 October 1971, p.8545.

³⁴ Ibid.

³⁵ Ibid.

Fourth, multiculturalism was built around freedom. More specifically, it was about cultural freedom, both the freedom to leave a given cultural community and the freedom to enter one. Trudeau believed that the best way to ensure this cultural freedom was to provide immigrants with the tools and the opportunity to learn either of Canada's two official languages: "The individual's freedom," he said, "would be hampered if he were locked for life within a particular cultural compartment by the accident of birth or language. It is vital, therefore, that every Canadian, whatever his ethnic origin, be given a chance to learn at least one of the two languages in which his country conducts its official business and its politics."³⁶

Unfortunately, contemporary representatives of the Canadian government seem to have forgotten these cornerstones of official multiculturalism. Instead, four others have replaced them that are superficially similar but, upon closer inspection, are deeply subversive and fundamentally opposed to Trudeau's vision. Equality has been replaced by parity, empowerment by aggrievement, reciprocity by retribution, and freedom by fetishization. Perhaps more important still is that the focus has been shifted away from the individual and towards groups. The next section of this thesis will provide evidence to support this observation as well as drawing some preliminary conclusions about the danger that this new multicultural vision poses.

³⁶ Ibid.

Chapter 4: Appearances can be deceiving: exploring the difference between equality and parity

There is a conceptual gulf between equality and parity that is not widely understood. Although both concepts are concerned with the amelioration of the condition of the underprivileged, they involve different strategies to achieve this goal. Whereas equality is about opportunity, parity is about results. If one imagines the struggle for equal treatment of individuals regardless of their particular group characteristics as a foot race, equality focuses on the starting line. Parity, on the other hand, waits at the finish. This is no minor semantic difference. The gulf between the two is particularly broad in the context of multiculturalism. Trudeau's multicultural vision made no provisions for group and individual parity. In fact, it is safe to assume that he would have wanted nothing of the sort, having spent the vast majority of his intellectual and political life opposed to "tribalistic" group politics. For Trudeau, while the success of groups in Canadian society was desirable, it was not the goal. The goal was equality of opportunity for individuals, from which group parity might well emerge.

John Stuart Mill, one of western society's first liberals, believed that the strength of equality was its concern for a fair process rather than a fair outcome. According to Brian Barry, "Mill was prepared to accept the possibility that 'some have a greater natural inclination for some things than others.'"³⁷ He observes that Mill was right on the essential point that the argument for equality of opportunity as an intrinsically fair arrangement "can and should be detached from any expectations about the patterns of choice that will arise from its implementation."

Unless this is done, he asserts, the consequence is that “equality of opportunity will have to be branded a failure if it fails to bring about one particular pattern.”³⁸ This is a critical point. Equality does not necessarily guarantee a perfectly fair distribution of resources, wealth, or status. Instead, it promises each and every individual the chance to maximize his or her own talents over a shared set of opportunities.

Of vital importance here is the evolution of Section 15 of the *Charter of Rights and Freedoms*, the rock around which the rest of the *Charter* is anchored. It evolved from a clause that guaranteed equality of individuals under the law to a clause that legitimates preferential hiring under “the right circumstances.” Section 15(1) asserts unequivocally that “every individual is equal before and under the law and has the right to equal protection of the law without discrimination.”³⁹ Section 15(2) contextualizes 15(1), stating that it “does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”⁴⁰ Richard Gwyn describes section 15(2) as “a throwaway clause”⁴¹ that was included to satisfy the concerns of feminist groups that 15(1) could be used to strike down affirmative action programs.

³⁷ Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalists*, Cambridge, Harvard University Press, 2001: 92.

³⁸ Ibid.

³⁹ Canadian Charter of Rights and Freedoms.

⁴⁰ Ibid.

However, 15(2) evolved from a throwaway to the dominant portion of Section 15. In a 1991 statement, Chief Justice Antonio Lamer declared that the “overall purpose of Section 15 was to remedy or prevent discrimination against groups subject to stereotyping.”⁴² In less than 10 years, 15(2) had evolved from a sub-clause that qualified Section 15(1) to the “overall purpose” of Section 15 itself. Justice Lamer was not alone in his creative interpretation of equality under the provisions of Section 15 of the Charter. In a statement in the same year that Gwyn describes as sanctifying the practice of reverse discrimination, Supreme Court Justice Gerard LaForest asserted that “equality does not connote identical treatment.”⁴³ Though not alone, these particular decisions are emblematic of the shift away from equality and towards parity in contemporary multicultural politics.

The most flagrant violation of the equality-parity distinction occurs in the hiring practices of the public sector. For that reason these practices will now be examined at-length in order to illustrate the harmful effects of what might seem like an unimportant semantic difference between parity and equality. After being appointed Clerk of the Privy Council in 2001, Alex Himelfarb announced that he wanted to increase the number of visible minorities in the public service.

To that end, as part of the government’s “Embracing Change” action plan, Himelfarb announced that by 2005 one in five promotions to the public service’s executive cadre would be visible minorities. The same hiring targets apply to all federal management-training programs that groom the future leaders of the public service.

⁴¹ Gwyn, 168.

⁴² Gwyn, 169.

⁴³ Ibid.

More ominously, because Himelfarb made it one of his four corporate priorities, these aggressive targets will be used as benchmarks against which the success or failure of deputy ministers and other senior executives can be measured and could influence their annual bonuses and performance pay.

There is no question that making the public service more representative of the public it serves is a worthy goal. But the approach that Himelfarb and other aggressive culturalists have adopted pursues this problem from the wrong direction. To artificially force the public service to mirror the demographic profile of the Canadian public is reckless and short-sighted. It is also based on an understanding of multiculturalism rooted in parity, not equality.

Himelfarb's ethno-cultural hiring targets are not the only multicultural controversy in Canada's public service in recent years. Perhaps the highest profile incident was an advertisement for a job opening as the regional director of communications in Vancouver in the Department of Fisheries and Oceans, paying an annual salary of \$99,700. Under the heading "who can apply" it read "persons working or residing in Canada and Canadian citizens living abroad *who are members of visible minority groups.*" This is not an isolated incident, nor is it a new phenomenon. In November of 1993, the Ontario Public Service employment paper *Job Mart* advertised a senior management position for a director of Internet Technology with a salary of \$74,000 to \$111,000 depending upon the applicant's qualifications. The competition was limited "to the following employment equity designated groups: aboriginal peoples, francophones, persons with disabilities, racial minorities and women."⁴⁴

⁴⁴ Bissoondoth, 91.

In both cases the linguistic gymnastics fail to fully conceal the intent behind them. While these cases attracted the public spotlight, they are representative of a growing trend in the public service. To paraphrase George Orwell in *Animal Farm*, all applicants are equal, but some applicants are more equal than others.

Those who defend these preferential hiring practices do so with two principal arguments. First, they claim that there is a great need to include visible minorities and other traditionally disadvantaged groups at the highest levels of the public service both as a means of providing role-models to others in their community and as the fulfilment of the obligation of the public sector be representative of Canada. This is a laudable goal, although if one is committed to creating a representative public service it must represent all forms of identity lest it fall into the trap of cultural primordialism. But this argument boils down to an elegant version of “the ends justify the means”, and in this case they don’t. One should not combat discrimination with more discrimination, even if the outcome would be a more representative public service.

Andrew Irvine, a University of British Columbia philosophy professor, makes this observation about the practice of “reverse discrimination”:

Just as it is inappropriate not to hire on the basis of criteria that aren't related to performance, it is also wrong to hire on such a basis, and for exactly the same reason. It is by being blind to non-performance-related criteria that we teach tolerance, not by pretending that such things do not matter, while at the same time taking them into account during hiring. As the Athenian democrat Pericles expressed it some 2,500 years ago, "When it is a question of putting one person before another in positions of public responsibility, what counts is not membership of a particular class, but the actual ability which each possesses."⁴⁵

⁴⁵ Andrew Irvine, “Towards Equality of Opportunity,” in *University Affairs*, October 1998.

Second, supporters of race and gender-based hiring contend that the merit principle, the foundation of an effective public service, is not substantially compromised by these hiring practice. When the posting for the Department of Fisheries and Oceans job opening came under fire, Nurjehan Mawani, the Commissioner of the Public Service Commission of Canada, issued a public statement asserting that the merit principle wasn't being undermined, stating that "benchmarks are not about lowering standards or about excluding anybody. They are about casting a wider net."⁴⁶

Even the Commission spokeswoman, Kathy Trim, acknowledges that this posting and others like it are exclusionary. But she argues that this is justified by the ultimate outcome, a more diverse public service. She stretches her argument by claiming that tapping the traditionally under-represented groups increases the over-all talent pool and therefore adheres to the merit principle that is a core value of the 1996 Employment Equity Act: "if you look at this at the level of individual transactions, yep, sometimes it takes some imagination to see it."⁴⁷ Trudeau's vision was founded on a set of rules and regulations applied uniformly, not the vagaries of one individual's "imagination."

Trim is not the only person with an imagination when it comes to preferential hiring. In a testimony made to the House of Commons Committee on Human Rights and the Status of Disabled Persons in 1995, Nancy Riche, the Vice-President of the Canadian Labour Council, was asked if the Employment Equity Act was fundamentally "about the principle of merit." After some prodding by the committee members, Riche admitted "No, not necessarily."⁴⁸

⁴⁶ Peter O'Neil, "Fishery job not open to whites" in The Vancouver Sun, May 29, 2003.

⁴⁷ O'Neil.

⁴⁸ Barry, 327

At the furthest extreme, defenders of racially or culturally motivated hiring practices have abandoned both merit and equality as goals worthy of pursuit. In “Affirmative Action and the Myth of Merit” Iris Young writes about “the myth of merit” and this argument deserves attention. She asserts that most jobs are “too complex and multifaceted to allow for a precise identification of their tasks and thus measurement of levels of performance of those tasks.”⁴⁹ More importantly, she asserts that instead of teaching technical skills, academic institutions inculcate students with a set of cultural values and social norms. According to Young, academic degrees and qualifications are cultural constructions that are biased towards certain groups and discriminate against others. To hire on the basis of merit is inherently unfair, according to Young and other leading proponents of “reverse discrimination.”

Young also argues that equality has failed to bring about the desired distribution of wealth and opportunity. In addition to her somewhat baffling opposition to the merit principle, Iris Young also objects to Mill’s understanding of equality. “Equality,” Young asserts, “defined as the [equal] participation and inclusion of all groups in institutions and positions, is sometimes better served by differential treatment.”⁵⁰ Pushing the argument further, Young concludes that the fact that fewer than half of all ‘top corporate positions’ are filled by women actually *constitutes* discrimination in and of itself.

⁴⁹ Brian Barry, quoted from Iris Young, “Affirmative Action and the Myth of Merit,” Chapter 7 from Justice and the Politics of Difference (Princeton, New Jersey: Princeton University Press, 1990).

Fundamentally, Young believes that there should be neither winners nor losers:

the processes by which institutions such as those of the market and democratic political competition produce winners and losers in accordance with different behaviour are to be overridden in the name of equality for all groups. After the Caucus Race in *Alice in Wonderland*, the Dodo proclaimed 'Everybody has won, and *all* must have prizes.'⁵¹

This demonstrates a confusion of parity and equality, and it is one that Young and her fellow intellectuals are not alone in making.

Both the arguments supporting and opposing preferential hiring are founded on the presumption that minorities face discrimination and consequently earn less than their non-minority counterparts as a result of this discrimination. The federal government now enthusiastically supports this presumption. In a guide provided to employers who must comply with employment equity legislation, a section is devoted to "why employment equity is needed." In this section employers are advised that "there is ample evidence in all sectors of society that equal access to employment has been denied to members of certain groups because of their sex, racial or ethnic characteristics, or disability...some of these include high unemployment, occupational segregation, pay inequities and limited opportunities for career progress."⁵²

The government's concern with employment equity and its belief that discrimination ran rampant in Canada's public sector began with the Royal Commission on Affirmative Action in 1984, commonly referred to as the Abella Report.

⁵⁰ Barry, 92

⁵¹ Barry, 96.

⁵² Martin Loney, *The Pursuit of Division*, McGill-Queen's University Press: Kingston, 1998: 182.

Chaired by Justice Rosalie Abella, it aimed at uncovering potential discrimination not only in the public service but also crown corporations wholly owned by the government of Canada. While the Commission's mandate was circumscribed to establishing mechanisms that would provide for equality in outcomes between particular identity groups, Abella instead conflated it with the Trudeau government's commitment to the creation of social justice and equality.

Of greater concern was the Commission's disregard for methodological precision and statistical accuracy. By its very nature, the Commission was not statistically representative of the population as a whole. Instead, it acted as a forum for grievance and any sample that it produced was inherently biased by the self-selected nature of participants. More troubling still was the dissonance between the dramatic conclusions made by the report and the statistical data that framed it. For example, while Abella concluded that "it was clear from information learned at meetings" that visible minorities "were not employed in significant numbers by any of the corporations", the data provides a different picture. Visible minorities comprised 4.3 per cent of Canadian labour force in 1981 and, in spite of a measure under-reporting due to the refusal of some visible minorities to self-identify, in 1987 they represented 5 per cent of all employees, 5.24 per cent of full time hirings, and 6.92 per cent of promotions.⁵³ As a point of reference, the percentage of visible minorities in the general population was approximately 7% during the mid to late 1980s. While this is only a brief snapshot of the Report, it is representative of the prioritization of strong recommendations over statistical accuracy.

⁵³ Loney, 113.

The Canadian Human Rights Commission shares both the government's belief that minorities face systemic discrimination in the workforce and the shoddy methodological practices that it used to support its conclusion. *Visible Minorities and the Public Service in Canada*, its report on employment equity prepared in 1997, confirmed the assertion that minorities face systemic discrimination, lower pay, and fewer promotions. However, the study did not rely on empirical data but rather on qualitative data such as questionnaires, and it did not even attempt to construct a representative sample that could be used to support the sweeping conclusions the study makes about the general population. Simon Fraser University Historian Martin Loney observes that "any reading of the study raises numerous questions about both the methodology and the relationship of the findings to the conclusions drawn by the CHRC."⁵⁴

In spite of the assertions of the federal government itself and studies such as the one produced by the Canadian Human Rights Commission that support them, the empirical evidence upon which they are made is weak. A look at the 1996 and 2001 censuses, whose methodology was sound and faithful to the principles of statistical accuracy, illustrates the shaky foundations upon which the conclusions of Abella, the CHRC, and other documents purporting to demonstrate the existence of a pervasive bias in the public sector. For example, the 1991 census reported that of Canadians over 15 and born in Canada, the median salary for those of a British origin earned \$30,234. In comparison, those of Japanese origin earned \$34,257, those of Sikh origin earned \$29,537, and those of Chinese origin earned \$30,449.

⁵⁴ Loney, 200.

This information is admittedly only a small sampling of the overall situation, but Martin Loney's more extensive analysis confirms that the data tends to contradict the prevailing fiction that minorities face an uphill struggle in the public service. As Loney concludes,

What is clear from any review of census data is the wide variation in ethnic outcomes and the absence of any consistent link between visibility and outcomes. The burgeoning employment equity industry is built on a veritable stack of cards, founded, from Abella on, not on any careful examination of statistical data but either on the assertion of discrimination without supporting evidence, or the deliberate cherry picking of data that purports to support a conclusion already reached.⁵⁵

This is not to say that individuals of minority backgrounds never face discrimination in the public service. But the prevailing wisdom, supported by the Abella Report and the Canadian Human Rights Commission, that there is a pervasive climate of racially-motivated behaviour and outright discrimination in the public sector simply isn't accurate.

Statistical discrepancies aside, if one moves past the rhetoric the problem is fairly straightforward. Is the aim of a hiring program to construct as efficient a public service as possible, or is it to construct a public service that mirrors society? The wording of the advertisements clearly place the emphasis on skin colour instead of skills. As Bissoondoth argues, "to force all white, English-speaking males to pay for the wrongs committed by others of their colour, language and gender is like giving an entire class detention because of one its number scribbled a dirty word on the blackboard."

⁵⁵ Loney, 201.

It is juvenile and discriminatory.”⁵⁶ More fundamentally, is the purpose of multiculturalism to right the wrongs of history or to create a successful, multiethnic society? Advertisements that emphasize race and culture to the exclusion of qualifications and skills work towards the former and interfere with the latter.

These kinds of hiring practices are inherently unjust because they focus almost entirely on race and culture, ignoring other groups and forms of identity that are also underrepresented in the public sector. This speaks to the primacy that is placed on culture above all other forms of identity or belonging, a subject that will be discussed later in this thesis. For now, two examples of racial benchmarks used in the hiring practices of other sectors of the public service are worth noting. First, Neil Bissoondath highlights the other forms of identity that can be ignored when race and culture are emphasized in the hiring process:

...The RCMP has not established separate hiring targets for applicants from different income groups. Neither has the Ottawa Fire Department established separate hiring targets for good looking or ugly men or women, though a mountain of studies has shown that the “halo-effect” determines success in job interviews and advancement. No. Both have separate lists for ‘visible minorities’ and other Canadians based solely on race.⁵⁷

Brian Barry, a writer and frequent contributor to the multicultural debate, also has trouble with focusing on one dimension of socio-economic inequality to the exclusion of others. If the purposes of hiring are to include creating a more representative workforce and reduce systemic discrimination faced by certain groups, it is counterproductive to select which factors matter and which do not.

⁵⁶ Bissoondath, 94.

⁵⁷ Bissoondath, 107.

He highlights the well-publicized gap between the rich and the poor in society, one that has grown exponentially in the past twenty years. For example, in 2000 the average C.E.O. pocketed four hundred and nineteen times the earnings of a typical production worker in their respective companies.

More importantly, this widening gap between the rich and poor has been matched by a spread in the quality of education available to the rich and the poor. While young people coming from wealth families can afford to attend the best schools and universities, those from more modest backgrounds find it increasingly difficult to afford a post-secondary education in a job market that demands one. As Barry notes, in 1994 a student from the top income quarter had nineteen times the chance of earning a B.A. degree at the age of 24 as a student in the bottom quarter, a four-fold increase from 1979. Barry concludes that “if (God forbid!) I were inclined to engage in polemics, I might feel drawn to expressing the view that it is the multiculturalists who are blind to the ever-widening differences that are such a deplorable feature of most contemporary western societies.”⁵⁸

The solution lies instead in understanding that the problem of the under-representation of minority groups in the public service does not have any easy solutions and that improvements will not come instantly. As mentioned earlier, within a matter of years immigration will account for nearly all of the growth in Canada’s workforce.

Consequently, gradualism is a more logical approach to the situation than an agenda of preferential hiring. Bissoondoth shares this understanding, arguing that “in the long term, as the ‘designated groups’ acquire the necessary tools and qualifications, this too will change. It is not dramatic; it will not purchase votes; but it will in the end serve the goals of ideological belief as well as the needs of the public service and the designated groups.”⁵⁹

Gradualism is also supported by the facts. As Richard Gwyn observes, apart from young male blacks, evidence of explicit discrimination against most racial minorities is difficult to find. Most have higher incomes and lower unemployment rates than the national average “after account is taken of the standard ten-year time lag before newcomers enter fully into the mainstream.”⁶⁰ The representation of minorities will come naturally, and to force it prematurely will only create more prejudice against those same groups from others who feel that they are now the ones being discriminated against. As Trudeau said in his initial address to the House of Commons on multiculturalism in 1971, “if freedom of choice is in danger for some ethnic groups, it is danger for all.”⁶¹ There are few freedoms more important than the ability to choose a profession, a career, and a way of contributing to society.

There is one last element to this topic that tends to get very little attention. In addition to alienating qualified non-minorities, these kinds of racial hiring benchmarks can also hurt the minority groups they are designed to help.

⁵⁸ Barry, 64.

⁵⁹ Bissoondoth, 95.

⁶⁰ Richard Gwyn, Nationalism Without Borders. McClelland and Stewart, Toronto, 1995: 175.

If the hiring process focuses on superficial characteristics rather than merit, those minorities who are hired may not feel as if they have earned their positions. As Janet Smith, a former bureaucrat who helped launch *Embracing Change*, one of the government of Canada's most recent efforts to encourage employment equity, observes, "when you do it this way, what you're hiring is the skin, not the content."⁶² Similarly, their co-workers may not afford them as much respect if they perceive, fairly or otherwise, that they were hired because of the colour of their skin rather than their qualifications. Neil Bissoondath, a visible minority himself, sees it this way:

On a personal level, as a member of one of those targeted racial minorities, I can think of few things more demeaning to me than to be offered an advantage because of my skin colour. It is demeaning because, no matter what I have struggled to achieve, I am still being judged on the colour of my skin and not simply as a human being with strengths and weaknesses. I am still, even with the best of intentions, being viewed racially – and that is offensive to me.⁶³

British philosopher Isaiah Berlin shares Bissoondath's concern for the dignity of the minority subject effected by "reverse discrimination," observing that "to manipulate men, to propel them towards goals which you -- the social reformers -- see, but they may not, is to deny their human essence, to treat them as objects without wills of their own, and therefore to degrade them."⁶⁴ As the old cliché goes, the road to hell is paved with good intentions. The public service is cultivating a new kind of hell, one that values parity above equality and image above merit.

⁶¹ House of Commons, *Debates*, 8 October 1971, p. 8545.

⁶² Margaret Wentz, "Whites need not apply," in *The Globe and Mail*, Comment (A23), May 29, 2003.

⁶³ Bissoondath, 95.

⁶⁴ Irvine.

Chapter 5: Confidence builder? How individual empowerment became aggrievement

The move from empowerment to aggrievement has been more subtle than the change from equality to parity. The promise to create the initial confidence for members of minority groups that Trudeau spoke of in 1971 is now a reality, and has been since the mid-1980s. Indeed, some groups have grown so confident that they are now demanding political representation in the institutions of their adopted homeland. This is a profoundly positive step and one that should be both recognized and lauded.

However, there is within it a stubborn disregard for the natural process of social and cultural evolution. It takes time for specific groups to achieve substantive political representation, but this delay is a natural and acceptable reality. Having too much, too soon, before members of the group feel free to exit and enter their cultural communities at will, could create a situation in which a minority within the group wields too much power both within their own cultural community and Canadian society as a whole.

To that end, the case of Italian-Canadians is instructive. They immigrated en masse to Canada in the middle of the 20th century in the period both before and after the Second World War. For many years they suffered from open hostility and racially-motivated discrimination in Canadian society, and were employed largely in manual labour positions or in family businesses. Their children, now second-generation Canadians, grew up in Canadian society and achieved greater success than their parents did, both culturally and economically.

As they gained this initial confidence they sought representation that reflect their views and their needs. Italian-Canadians have sought and achieved election on city councils, school-boards, in provincial legislatures and finally in federal parliament.

Today, Italian-Canadians are in fact over-represented in the House of Commons, and fill a number of important positions both in caucuses and cabinet. The “spaghetti caucus”, a familial group of Italian-Canadian Liberal MPs that meet regularly to share their views and determine how best to influence Canadian public policy in the interests of Italian-Canadians, includes regulars like the Honourable Maurizio Bevilacqua, Joe Volpe, Tony Ianno, Albina Guarnieri, Tony Valeri, and Joe Fontana.

Robert Dahl’s discussion of positive inclusiveness in *Polyarchy, Participation and Opposition*, provides theoretical support for this practical reality. He argues that the political system and its institutions respond accurately, albeit slowly, to broader socio-economic changes. According to Dahl, “as new groups are granted the suffrage, candidates closer in their social characteristics to the newly incorporated strata win a greater share of elective offices.”⁶⁵ While this is admittedly a slow and imperfect process, it works in Canada.

⁶⁵ Robert Dahl, *Polyarchy, participation and Opposition*, York University Press: New Haven, 1971: 21.

While political institutions may be slow to adapt to change, the political parties within them can be more responsive. Dahl suggests that those seeking more comprehensive levels of representation for previously excluded groups should seek their remedy within these entities.

He provides a number of historical examples, in which the broadening of the suffrage precipitated changes in the party system itself. The rapidly increasing influence wielded by the Sikh and Ismaili communities in the Liberal Party of Canada is proof that minority groups can and do achieve success quickly without the assistance of institutionalized mechanisms.

The case of the Italian-Canadian community is thus a valuable lesson for those who support the institutionalization of ethno-cultural political representation. Certainly, the federal government should continue to encourage the initial confidence that Trudeau spoke of in 1971 so that it doesn't take fifty years for cultural communities to achieve substantive political representation. That said, suggestions that the government bend to demands for "mirror representation" by allocating seats in the House of Commons on the basis of ethnic and cultural factors rather than the traditional territorial constituencies are potentially dangerous and even anti-democratic. Instead of creating a functionally diverse society, they will work to divide Canadian society into a national equivalent of gang warfare.

For critics like Anne Phillips, the case of Italian-Canadians is still just superficial and does little to resolve the problem of inclusiveness in Canada's political institutions. In her view, Italians remain an aggrieved minority. Her solution is the institutionalization of diversity in these political bodies, often referred to as "mirror representation".

It is her philosophical contention that the attention must be shifted away from which interests are being represented and how and towards who is representing them. This position has in turn been the subject of a great deal of critical attention. This section will first explore the arguments in favour of a “politics of presence”, also called “identity politics”, before moving to a thorough investigation of the weaknesses of this approach.

In *The Politics of Presence*, Phillips deconstructs traditional understandings of representation and representativeness, highlighting their emphasis on outcomes rather than agency. According to the conventional understanding of liberal democracy, differences are manifested in the ideas and ideologies that political actors represent rather than in their own physical and cultural identity: “representation is considered more or less adequate depending on how well it reflects voters’ opinions or preferences or beliefs...it suggests a broadly secular understanding of politics as a matter of judgement and debate, and expects political loyalties to develop around policies rather than people.”⁶⁶ For Phillips and her colleagues, this traditional understanding of difference in the political sphere institutionalizes a bias against minority groups because of their inability, demographically conscribed, to generate support for their own needs and issues.

Her understanding of difference is fundamental to her larger thesis. She is critical of the “overly cerebral” fashion in which difference has traditionally been perceived.

⁶⁶ Anne Phillips, *The Politics of Presence*, Clarendon Press: Oxford, 1995: 1.

As she asserts, this emphasis of ideas over agency has done little to substantively address the problems of political exclusion she believes still characterize most political institutions: “when policies are worked out *for* rather than *with* a politically excluded constituency, they are unlikely to engage with all the relevant concerns.”⁶⁷ According to Phillips, while most liberal-democrats conceptualize diversity in terms of beliefs, opinions, preferences, and goals, “all of which may stem from the variety of experience, but are considered as in principle detachable from this.”⁶⁸

She rejects the notion of interests as being distinct from experience, and replaces the “politics of ideas” with the “politics of presence.” This seeks to remedy the problem of under or misrepresentation of certain groups within the political institutions rather than from without. Identity would replace interests as the determining criteria in the evaluation of political representation:

Radical democrats, particularly those of a more utopian bent, have continued to explore alternative avenues of ‘typical’ or ‘mirror’ or ‘random’ representation, which they have seen as a better approximation to the old dream of being ruler and ruled in turn, or as a more satisfactory way of ensuring that all interests are adequately addressed. John Burnheim, for example, has suggested that our interests are better protected when we are represented by those who share our experience and interests, and that this similarity of condition is a far better indicator than whether people might share our rather shaky opinions.⁶⁹

⁶⁷ Phillips, 13.

⁶⁸ Phillips, 6.

But with respect to the exclusive right of groups to speak on their own behalf and the consequent implementation of quotas in the workplace, Stasiulis notes that “the implementation of such guidelines unwisely circumscribes the capacity to write about experiences or cultures other than one’s own, and inadvertently confines minority voices to work only with ‘minority’ issues or culture.”⁷⁰ This is not a new criticism of identity politics. Stasiulis’ concerns were R. MacGregor Dawson’s as well in 1947 in *The Government of Canada*. Dawson, in his discussion of the lack of occupational diversity in the House of Commons, asserts “it is most undesirable that the members should look upon themselves as the exclusive representatives of any special economic or social group.”⁷¹

Ironically, according to Phillips herself, “this multicultural diversity coincides with an equally striking process of homogenization, and the importance currently attached to group difference expresses a complex double dynamic in which people have become more different and yet more the same.”⁷² Thus, to move towards a society whose political institutions are defined by identity politics and “tribalism”, as Trudeau put it, seems both counterproductive and superfluous.

Phillips’s politics of presence also misunderstands the role of legislators. They are not elected to represent solely the interests of their community, territorial, cultural, or otherwise, but also to make a contribution to issues of national and collective importance.

⁶⁹ Phillips, 2.

⁷⁰ Phillips, 9.

⁷¹ Smith, 403.

According to Jennifer Smith, “it is the need to take account of the national interest as well as the local interest that puts paid to the delegate theory of representation and any other theory that requires an elected representative essentially to act as the agent of those who have voted him into office.”⁷³ The first loyalty of any legislator is to act in the interests of the whole, and to ensure the fair and equal treatment of all citizens that is the foundation of democracy itself.

Phillips’s simplified conception of representation and identity, and the relationship between them, does not sit well with those who believe that identity is more complicated and more dynamic than one’s ethno-cultural roots. Chantal Mouffe is a particularly vocal critics of this traditional understanding of identity. As she observes, “how can we grasp the multiplicity of relations of subordination that can affect an individual if we envisage social agents as homogenous and unified entities?”⁷⁴

There exists a multiplicity of subject-positions, which vary in relevance and importance according to the situation. Thus, “no identity is ever definitively established, there always being a certain degree of openness and ambiguity in the way different subject-positions are articulated.”⁷⁵ This more complex understanding of identity is at odds with the idea of institutionalized diversity.

⁷² Ibid.

⁷³ Smith, 404.

⁷⁴ Chantal Mouffe, “Radical Democracy: Modern or Post-Modern?” in Universal Abandon? The Politics of Postmodernism, Ed. Ross, A. University of Edinburgh Press: Edinburgh, 1988: 34.

⁷⁵ Mouffe, 35.

Mouffe contends that we cannot institutionalize diversity because we can never be certain of whose interests or experiences a given individual is representing at a given moment:

In order that the defense of workers' interests is not pursued at the cost of the rights of women, immigrants, or consumers, it is necessary to establish an equivalence between these different struggles. It is only under these circumstances that struggles against power become truly democratic."⁷⁶

If one follows Phillips's argument to its logical conclusion in the context of Mouffe's understanding of the multidimensional nature of identity, the size of a given country's political institutions would have to expand dramatically to accommodate the myriad identity factions that naturally exist in a modern society. Phillips rejects this criticism as "a deadening conclusion", but such a response is unsatisfying insofar as it is equivalent to saying that "disagreements disagree" or "don't be negative."

Andre Lecours exposes yet another critical weakness in the contemporary understanding of identity exemplified by Anne Phillips. In "Theorizing Cultural Identities: Historical Institutionalism as a Challenge to the Culturalists" Lecours highlights what he calls the "primordial" assumptions of culturalists that prioritize culture above other forms of identity. As he asserts, "their emphasis on the strength of the bond between individuals and their culture suggests that cultural markers translate necessarily and naturally into identities. This assumption entails that cultural entities are more primordial and more important than other identities, as well as mutually exclusive."⁷⁷

⁷⁶ Mouffe, 42.

⁷⁷ Andre Lecours, "Theorizing Cultural Identities: Historical Institutionalism as a Challenge to the Culturalists" in Canadian Journal of Political Science, XXXIII:3, September, 2000: 510

Lecours identifies anthropologist Clifford Geertz as the embodiment of primordial cultural thinking, noting that “Geertz holds that primordial attachments result from the ‘givens’ of social existence (assumed blood ties, race, language, region, religion, and custom) which “have an ineffable, and at times overpowering, coerciveness in and of themselves.... He views these attachments as natural and universal, and argues that ‘for virtually every person, in every society, at almost all times, some attachments seem to flow more from a sense of natural - some would say spiritual - affinity than from social affiliations.’”⁷⁸ Ironically, Geertz’s own articulation of the “primordial” power of ethno-cultural attachments undermines itself. His use of the word *seem* in the passage indicates that even he is aware of the tenuous nature of his conclusions.

Nevertheless, Geertz’s formulation subordinates class, gender, sexuality, and other forms of identity to culture. Not only is this an unsubstantiated generalization, it is also self-contradictory. Many of those who are fighting for the elimination of the persistent disadvantages faced by ethno-cultural minorities advocate a solution that would institutionalize deliberate discrimination against other minorities. To institutionalize levels of representation for any group, regardless of their ethnic, religious, or cultural nature, is to institutionalize the status quo and to deny the possibility of a responsive democracy. Fair representation cannot be guaranteed in advance, but rather must be achieved through a continuous and responsive process.

As with the aggressive hiring mechanisms adopted by the public service of Canada, mirror representation in the elected institutions of Canada would sharply circumscribe opportunities for those that it claims to help.

⁷⁸ Lecours, 507.

An important part of a healthy poly-cultural community is the ability of members from different communities to empathize with the concerns and objectives of each other. If the lines of political representation are redrawn along ethno-cultural lines, the incentive to extend oneself beyond the concerns of the groups that one belongs to would be removed.

Will Kymlicka, a prominent defender of culturally-sensitive theories of representation, shares this concern. He believes that it is critically important that members of particular groups be able to empathize across lines of cultural or social difference. As Kymlicka notes, the assumption that this kind of interaction isn't possible "can become 'a self-fulfilling prophesy,' particularly if the assumption is embodied in rules and institutional expectations."⁷⁹ Kymlicka concludes that while there are limits to the extent to which people are willing and able to 'jump the barriers of experience', society and its regulatory statutes must not accept these limitations. Mirror representation, particularly in the context of an increasingly diverse society, is in fact counterproductive to the goal of creating a society in which all groups, cultural or otherwise, feel free to participate on equal terms.

⁷⁹ Will Kymlicka, Multicultural Citizenship: A Liberal Theory of Minority Rights, Oxford, Clarendon Press, 1995: 130.

Chapter 6: Who pays? The transformation from social reciprocity to economic retribution

The transformation from reciprocity to retribution is not as obvious as the other value shifts discussed so far, but it is having an equally corrosive influence on the application of multiculturalism in Canada. Instead of groups being supported on the condition that they demonstrate a desire to participate in Canadian society as a whole, many groups now expect special rights to be conferred on them and financial and social reparations paid for oppression that they experienced in the near and distant past. They have learned to use multiculturalism as a means of redressing historical grievances or injustices, whereas Trudeau saw it as a means to prevent future injustices. Attempts to make it look backwards will compromise its ability to effectively looking forward.

The process that ultimately ended in the provision of compensation to relatives of the Japanese-Canadians who were interned during the Second World War is a case in point. It is investigated here not as an attempt to single out Japanese Canadians for subverting the intent of multiculturalism and its institutions and statutes, but instead because it is representative of the problems that are endemic to claims of this sort. The National Association of Japanese-Canadians negotiated the Redress Settlement with the government of Canada, culminating in the signature of the agreement on September 22, 1988, by Prime Minister Brian Mulroney and NAJC President Art Miki, that created a one-time endowment of \$24 million as compensation.

In *Who Killed Canadian History*, historian J.L. Granatstein explores the historical context in which the internment took place, something that everyone agrees is a shameful episode in Canada's history. In so doing, he shines light into an intellectual corner that had been deliberately darkened for years. Granatstein begins with his trademark sarcasm, ridiculing the widely held public perception of why the government moved Japanese-Canadians from their homes in 1942: "In the public mind today, the Japanese Canadians of 1941, all 22,000 of them, were interned after the outbreak of war in the Pacific on 7 December 1941, for no reason other than their racial origin. The Liberal government of Mackenzie King acted out of racist motives, nothing more."⁸⁰

The reality of the situation is, as always, not that simple, and context is particularly important in this case. The Japanese-Canadian community was, at the time, closed and insular. As Ken Adachi writes in *The Enemy that Never Was: A History of the Japanese Canadians*, at the time many Japanese immigrants had recently arrived in Canada with the intention of "striking it rich" and returning to Japan.⁸¹ Consequently, few Japanese-Canadians learned English or made efforts to assimilate into the larger community around them. The insular nature of the Japanese community in Canada made it difficult for the Canadian government to gather intelligence on their intentions or loyalties during a time of war.

That said, the behaviour of the Japanese Consul-General gave Canadian officials reason for concern. The Consul determined who could be drafted to Japan, controlled the immigration of wives to Canada and the distribution of visas.

⁸⁰ J.L. Granatstein, *Who Killed Canadian History?* Toronto, Harper Collins, 1998: 96.

⁸¹ Ken Adachi, *The Enemy That Never Was: A History of the Japanese Canadians* (Toronto: McClelland and Stewart Limited, 1976), pp. 13-22.

More philosophically, the Consul emphasized the glory of the Japanese Monarchy, and the notion that Japanese immigrants were first and foremost the sons and daughters of Japan.⁸² Granatstein notes that the Japanese consul-general to Canada, Ichiro Kawasaki, was “actively propagandizing and proselytising” among his fellow and former countrymen (all of whom remained Japanese citizens under Japanese law).

More damning still is the fact that he was under orders to recruit spies, and incriminating telegrams directing such activities were decoded by Washington and known to Ottawa.⁸³ Japan had successfully invaded Thailand, Guam, Wake, Manila, and Singapore, and there was every reason to believe that it intended to eventually invade continental North America. With this in mind it is easier to understand the sense of panic that most British Columbians felt as the Japanese swept across the Pacific. Canada was at a declared state of war with Japan, and there was considerable reason to think that a Japanese invasion, if it came, would take place on the long and thinly populated coastline of the province. The partial destruction of the United States’s pacific fleet at Pearl Harbour contributed to this sense of vulnerability.

Fears of an invasion were fuelled by rumours that the Japanese invasion fleet that battled American forces at Midway was initially believed by military commanders in Washington to be headed for the Pacific Coast.⁸⁴

⁸² Adachi, 110.

⁸³ J.L. Granatstein and G.A. Johnson, "The Evacuation of the Japanese Canadians, 1942: A Realist Critique of the Received Version", in Norman Hillmer, et al., eds., On Guard for Thee: War, Ethnicity, and the Canadian State, 1939-1945, Canadian Committee for the History of the Second World War, Ottawa, 1988: pp. 105-108.

⁸⁴ Rear Admiral E.T. Layton, U.S.N. (Ret.), Captain R. Pineau, U.S.N.R. (Ret.), and John Costello, "And I Was There": Pearl Harbor and Midway-Breaking the Secrets, William Morrow and Company, New York, 1985: 422-429.

Irrespective of the intentions of the Midway fleet, most of America's senior military officials, including Chief of Staff Marshal, Secretary of War Stimson, and General McArthur, expected Japanese attacks on the pacific coast in the early summer of 1942, a perspective that they shared with their Canadian counterparts.⁸⁵ As a result, both the provincial government and 'vigilante' groups within Western Canada were demanding action.

In February, 1942, Ottawa gave in to the pressures and order the internment of Japanese Canadians from the coast to the interior. An additional seven hundred Japanese Canadians were interned at Angler in northern Ontario, but these people were either identified as security threats or self-declared supporters of the Japanese Empire. Granatstein does not deny that some people – both Canadian officials and private citizens, but also Japanese Canadians - behaved badly during this period. However, he believes that the revisionist history that now overshadows what actually happened in 1942 should not compel the government to apologize for its actions at a time of war.

Furthermore, Japanese citizens were not the only people targeted by the Canadian government during the Second World War. The War Measures Act was used to intern all "enemy aliens" that were defined by a 1940 Order in Council as "all persons of German or Italian racial origin who have become naturalized British subjects since September 1, 1922." Twenty-six internment camps were created across the country to house these individuals. A subsequent Order in Council outlawed the Communist Party in Canada. In total, over 30,000 people were affected by these orders and forced to report to the RCMP on a monthly basis, and 500 Italians and 100 Communists were interned.

⁸⁵ Layton, 424.

In New Brunswick, 700 Jewish refugees were interned at the request of British Prime Minister Winston Churchill because he believed that there were spies in the group.

⁸⁶These examples should illustrate the fact that Japanese citizens were not the only ones forced to relocate during a time of war.

The theft, vandalism, and destruction of the property of Japanese Canadians were criminal acts and should have been punished accordingly, and financial compensation on that account is a legitimate right of the Japanese property holders. But to compensate the relatives of those effected by the internment order issued by the Canadian government during the Second World War is an inaccurate admission of guilt by the Canadian government, and one from which no compensation should flow. According to Granatstein,

what cannot be justified was the judicial theft of Japanese-Canadian property, a shameful event in Canadian history; thousands scrambled to pick up the belongings of the evacuees for a song. For this loss, Japanese Canadians were justly entitled to compensation. For the evacuation, no apology was needed. Even democracies have the right to defend themselves. In early 1942, with the war going very badly, Ottawa, its military commanders on the Pacific, the government in Victoria, and the overwhelming majority of British Columbia population believed Canada had to act. As it turned out, there was no attack on the west coast, aside from a single submarine shelling the Estevan Point lighthouse – but no one knew this in February 1942.⁸⁷

Multiculturalism should not be used as an infrastructure for addressing past grievances, particularly in cases with questionable historical veracity such as the Japanese internment.

This is not to say that all Japanese grievances are unjustified. In fact, the grievances of a range of cultural and ethnic groups are all, to varying degrees, legitimate.

⁸⁶ http://www.educ.sfu.ca/cels/past_art28.html: The Law Connection, 1998 issue.

⁸⁷ Granatstein, *Who Killed Canadian History?* 98.

The Chinese head tax was clearly a racially motivated policy. The refusal of the Canadian government to admit more Jewish immigrants who were fleeing Hitler's Europe both before and during the Second World War is a shameful incident in Canadian history. The Acadians, who were expelled by the British when they settled in Halifax in 1748, likewise have an historically placed grievance.

But one of the difficult jobs that governments have is the responsibility of placing limits. With respect to historical grievances, instead of rendering judgment on decisions made in a different time and climate, governments should focus on ensuring that future injustice is prevented. Otherwise they become a prisoner of history, a point that Grantstein is in full agreement with. As he asserts, "apologies and victimhood do not make for either good current policy or a proper collective understanding of history. Instead, they create cynicism in the majority of Canadians who feel that certain groups are trying to rip off public funds."⁸⁸ Retributive initiatives cannot impose the morality of the present retroactively. What they can do is lead Canadian society into a quagmire of division from which it will be difficult to escape.

⁸⁸ Grantstein, 100.

Chapter 7: Virtual lockdown: Sacrificing cultural freedom for cultural fetishization

The last dramatic shift away from Trudeau's multicultural vision is the way that culture is understood. Trudeau was adamant that one of the keys to creating a multicultural society was to provide members of cultural minority groups with the freedom to leave and the tools to succeed within Canadian society as non-aligned and non-oppressed individuals. Official language training was the tool that he believed would provide them with a key to the door of their cultural group, and in many ways his faith has been borne out by the results.

But a more subtle barrier exists that has not yet been overcome. In response to what some have characterized as a push towards assimilation, cultural minority groups have tended to respond by reinforcing their borders and fetishizing ethno-cultural differences, a tactic that serves intra-group solidarities but often marginalizes them further. According to Oregon State University's Mark Redhead in "Charles Taylor's Deeply Diverse Response to Canadian Fragmentation," cultural freedom is actually in the best interests of these groups, arguing that "in order for a culture to flourish, its members need to have the capacity to question and (if necessary) disassociate themselves from their beliefs and customs so as to be able to adapt those beliefs and customs to the changing reality of the world in which they reside."⁸⁹

No discussion of Canadian multiculturalism is complete without reference to Charles Taylor's work on the subject, most notably his model of "deep diversity."

At this point in the discussion it becomes particularly relevant. In essence, Taylor's model is rooted in the belief that different kinds of belonging can exist in the same polity. A deeply diverse Canada is one in which an individual can belong to a Canadian federation in a variety of manners. But one also subscribes to a set of shared common goods "articulated within an assemblage of nested public spheres in which debate is regulated by processes of sharing identity space and of other-understanding."⁹⁰ Taylor's vision is designed to accommodate the needs of cultural groups, such as French-Canadians, while integrating their needs into the larger framework of society. However, Taylor's vision of identity and group-belonging is rooted in a static understanding of identity and cultural participation.

Redhead, while sharing Taylor's support for different kinds of belonging, sees identity and cultural participation as a more fluid process. As such, "a procedurally liberal ethos that bestows primacy to documents like the Canadian Charter of Rights and Freedoms over all other pieces of legislation is not an anathema to the goal of preserving a 'distinct society.' Rather, it can provide a much-needed tool for enhancing (though not guaranteeing) the prospects for that culture's survival."⁹¹ Similarly, Redhead's "rooted cosmopolitan" theory asserts that the government should promote rather than protect cultures. He combines aspects of Trudeau's multiculturalism with Taylor's deep diversity, stressing the importance of cultural borrowing and intercultural communication while emphasizing the primacy of individual autonomy.

⁸⁹ Mark Redhead, "Charles Taylor's Deeply Diverse Response to Canadian Fragmentation: A Project Often Commented On but Seldom Explored" in Canadian Journal of Political Science, March 2003, 36:1: 72.

⁹⁰ Redhead, 70

⁹¹ Redhead, 72

Together, these values are the necessary political safeguards that facilitate the responsive evolution of cultural identities in an environment that tolerates both dissent and cultural conformity.

While Taylor's understanding of identity and cultural belonging can effectively be described as a politics of being, Redhead's understanding is instead a politics of "becoming". In "The Politics of Recognition at an Impasse?" Jocelyn Maclure shares Redhead's view that identity formation and cultural participation is an ongoing, open-ended process. According to Maclure:

The process of identity pluralization inherent in late modernity points towards the problematic nature of any "we". The compression of time and space produced by globalization favours the multiplication of the axes of collective identification. More concretely, this means that citizens bear overlapping and potentially contrasting practical identities or forms of subjectivity. To use Foucault's very apt phrase, who we are is defined progressively and continuously by the problems we experiment with, as we experiment them.⁹²

Maclure's identification of "the problematic nature of any 'we'" is an excellent introduction to a discussion of the nature of cultural identification. Discussions of multiculturalism inevitably involve groups – English, Italian, black, Hispanic – and the assumption is often made that they are cohesive blocks with little intra-group variation.

⁹² Jocelyn Maclure, "The Politics of Recognition at an Impasse? Identity Politics and Democratic Citizenship" in Canadian Journal of Political Science, March 2003 36:1: 6.

This common assumption, and the weaknesses inherent in it, are effectively described by Bhiku Parekh: “cultural determinism makes sense only if we assume that culture is a cohesive and tightly structured whole that is not itself influenced by anything external to it, and that individuals are a passive and pliant material devoid of independent thought. Neither assumption is valid.”⁹³

At the 2003 Liberal Party of Canada in Ontario Annual General Meeting, both Mike Crawley and Marva Wisdom, a black woman, contested the position of party president, a position within the party bureaucracy that is responsible for the management of finances and organization. Sheryne Morcos, a 23-year old woman of Portugese heritage and a supporter of Crawley, a white male, was confronted by Wisdom and told that she should support her instead because “as a woman of colour you know what it’s like.”⁹⁴ Parekh has an insight on this manifestation of the assumption that cultural experiences are alike:

Cultural diversity is also an important constituent and condition of human freedom. Unless human beings are able to step out of their culture, they remain imprisoned within it and tend to absolutize it, imagining it to be the only natural or self-evident way to understand and organize human life. And they cannot step out of their culture unless they have access to others.⁹⁵

Morcos reaffirmed her access to others, rejected Wisdom’s racialized attempt to capture her solidarity, and instead affirmed her support for Crawley. Responses like Wisdom’s are not uncommon these days, in spite of the fact that it is self-evident that groups are anything but homogenous blocks.

⁹³ Bhiku Parekh, *Rethinking Multiculturalism*, Harvard University Press, Cambridge, 2000: 165.

⁹⁴ Personal Interview conducted on October 1, 2003.

Neil Bissoondoth provides another useful example of how members of a group that might look similar can be, and often are, very different:

Samuel Selvon, Bharati Mukherjee, Rohinton Mistry, Hanif Kureishi and I are all writers, all of the same 'ethnicity' to a certain extent, all ethnically 'South Asians,' all 'Indians.' Yet I suspect that, as a group, we are at least as dissimilar as similar. Selvon and I were born in Trinidad, but of different generations and with lives that have followed very different paths to different cities in the same country. Mukherjee, born in Calcutta, found Canada an unhappy place and has built a more satisfying life in the United States. Mistry and I both moved to Toronto from elsewhere and share the experience (with many others) of living and writing in that city. Kureishi, born in England of Indian parents, lives in London: we met once, shook hands, found we had little to say to each other. Each of these people and I can claim certain similarity, but we must also acknowledge vastly different contexts, contexts that have shaped personalities sufficiently dissimilar to render the ethnic category, beyond certain superficialities, essentially useless. There is no gravitation around an ethnic bonfire.⁹⁶

Raymond Chan, a Taiwanese-Canadian and a former member of parliament from Richmond, B.C., achieved his political success in spite, rather than because of, his ethno-cultural community. Chan remarked that he ran for public office in the first place "to show that even without the support of the [Chinese] establishment, I have the support of the people. I am a Canadian."⁹⁷ That such a statement is now commonly viewed as reprehensible is a depressing indication of the degree to which multiculturalism has been both racialized and divided into sectarian quorums.

It is important to understand that cultural groups can and do exercise substantial control over their membership.

⁹⁵ Parekh, 167.

⁹⁶ Bissoondoth, 104

Ali Sharrif, a Somali immigrant who contributes to Toronto's NOW magazine, argues that the black community in North America sees Somalis and other people from the Horn of Africa as Muslims and Arabs first, Africans second. As Sharrif notes, "most of the Somalis I know, causal acquaintances and friends, really want to be part of the black community. But their fate might be that they are considered black, but not black enough to be really black."⁹⁸ To assume that because Somalis are from Africa they are accepted as such within their larger cultural family is misguided. Once again, groups are more complicated than they are generally depicted, even from within.

To treat cultural groups as homogenous blocks is both unfair to their constituents, who may be subjected to derogatory stereotypes, and intellectually obtuse. We would not treat men or women as "the same", yet it is acceptable to treat cultural groups in this fashion. Moreover, cultural groups are often treated as "primordial" in that they are fixed and inherently non-transferrable. In an investigation of this reality, Redhead depicts groups in a more reasonable way: "Groups are themselves not in any way natural or fixed entities but mutable social formations that change shape, size, and character as society and circumstances vary."⁹⁹

Andre Lecours provides yet another angle from which to examine the nature of groups in today's multicultural discourse. His work opens up the Kuhnian black box that surrounds culture and identity formation and politicization. While he rejects claims to group rights, and thus implicitly supports Trudeau's individual-oriented vision of multiculturalism, he also provides a constructive alternative.

⁹⁷ Bissoondoth, 107.

⁹⁸ Redhead, 71.

⁹⁹ Ibid.

While culturalists such as Will Kymlicka and Iris Young consider institutions to be inert instruments that manage identities and claims, Lecours sees institutions as playing a dynamic role in the formation and articulation of identities. As Lecours notes, the assumptions made by cultural theorists are intellectually counterproductive:

...they preclude investigating the mechanisms of identity formation, transformation, politicization and mobilization that are central to the politics of cultural identity. Moreover, considering cultural identities as politically generated and transformed rather than as “givens” of social existence which are inherently political is not only theoretically more promising, but empirically more accurate.¹⁰⁰

“Groups,” he points out, “are constantly forming and dissolving in response to political and institutional circumstances.”¹⁰¹ Understood in the context of his institutionalist critique, groups are not static and fixed but instead situational and responsive. For Lecours, the process of identity formation and politicization and the relationship between this process and a given individual’s cultural background is fertile ground that demands greater investigation, not in order to deny the claims of groups but rather to provide a more nuanced means of response and redress under the broader multicultural framework.

Neil Bissoondath offers a more practical explanation of the same argument:

“simply put: Who makes a better neighbour – a man of any colour who shares your basic values or a man of any colour who does not? Culture, in its essentials, is about human values, and human values are exclusive to no race.”¹⁰²

¹⁰⁰ Lecours, 509.

¹⁰¹ Ibid.

¹⁰² Bissoondath, 71.

Thus, to treat culture as a static, homogenous entity is as intellectual unproductive as treating groups that way. Instead, he argues, “culture is life. It is a living, breathing, multi-faceted entity in constant evolution. A culture that fails to grow from within inevitably becomes untrue to itself, inevitably descends into folklore.”¹⁰³ Both Bissoondoth and Lecours are arguing that cultures that turn inwards to protect themselves from the perceived threat of assimilation are dooming themselves in the long run. Multiculturalism must work to draw them out of that shell rather than encouraging them to thicken the walls.

This doesn’t mean that we are living within a morally neutral cultural sphere. As Trudeau indicated in 1971, vulnerable cultures and the individuals within them will need assistance in order to compete on equal terms with others. In *Multicultural Citizenship: A Theory of Minority Rights*, Will Kymlicka finds the notion of “benign neglect”, that rights are adequately defended by one’s citizenship and thus the state should not interfere with the cultural market-place, justifiably unsatisfying. Government decisions on languages, internal boundaries, public holidays, and state symbols unavoidably involve recognizing, accommodating, and supporting the needs and identities of particular ethnic and national groups. The state unavoidably promotes certain cultural identities, and thereby disadvantages others.”¹⁰⁴

Kymlicka offers several examples to support his assertion that a pervasive, if sometimes subtle, kind of cultural discrimination takes place.

¹⁰³ Bissoondoth, 81.

¹⁰⁴ Kymlicka, 108.

For instance, he cites the grudging compliance of police forces in amending their uniform code to allow Sikhs to wear turbans, or the fact that state holidays are overwhelmingly Christian in origin as proof that society as a whole creates an atmosphere in which one culture is privileged above others. The cultural playing field obviously needs a measure of regulation in order to allow cultures to compete with each other fairly.

That said, globalization and the increasingly facile flow of information will contribute to the porousness of cultural borders and will further marginalize cultures that fail to adapt to changing circumstances. Indeed, increasingly accessible and affordable information technologies are making it difficult for traditionally isolationist cultures like Mennonites and Hutterites to prevent their children from finding out about the outside world. For better or worse, a cultural marketplace exists and cultural groups must be prepared to respond. This means that minority cultures must still be subject to the sometimes uncomfortable scrutiny that comes with full participation in a public and shared meta-culture. This also means that they must, in certain circumstances, relinquish their claims to cultural autonomy if the general population finds certain practices or traditions repugnant.

One of the more difficult responsibilities that governments have to fulfil is the establishment and regulation of limits, cultural or otherwise. Cultural sanctity has been invoked as an argument in a number of different circumstances to justify the protection of cultural practices that range from the wearing of the *hijab*, a traditional Muslim head-dress, to female genital mutilation.

Where society draws the line is an important question, but it has to draw it somewhere. An example of where not to draw the line was provided in 1994, in a decision rendered by Quebec County Court Judge Raymonde Verrault, a man who sexually assaulted his 11 year old step-daughter was sentenced to 23 months rather than the 48 recommended by the Crown.

In explaining his sentencing decision, Justice Verrault invoked cultural relativism as the reason for the light sentence. Because the man “only” sodomized her, he “preserved her virginity, which seems to be a very important value in their religion.”¹⁰⁵ His decision justifiably ignited a firestorm of controversy, but it also drew attention towards an important question. What does Canadian society do when the cultural practices of minority groups come into conflict with traditional cultural norms, or even the law itself? There is no definitive answer, but the following examples will help to clarify the range in which it often falls.

A less extreme case is the question of whether the public should fund ethnic schools, and indeed if they should even exist at all. Author Cecil Foster has argued for black only schools with an “afrocentric” curriculum, asserting that “the entire attitude of the public education system makes them feel set apart by negative stereotypes that black students, for example, are more fulfilled on the basketball court than in the physics lab.”¹⁰⁶

¹⁰⁵ Gwyn, 141.

¹⁰⁶ Ibid.

He believes that culturally specific schools will “cause students to reflect on shared history, social relationships, belief systems, social practices and collective responses to political and economic realities. Above all, students will develop a sense of identity, critical consciousness and belonging.”¹⁰⁷

This seems misguided for a number of reasons. First, it seems unlikely that advocates for all-black or all-muslim schools would support the idea of all-white schools with their own Anglo-centric curriculum. Second, a major part of living in a multicultural society is the ability of individuals to interact with people from different cultures. Self-ghettoization, the overwhelmingly likely outcome of a racially or culturally segregated school system, does nothing to facilitate this interaction. Indeed, as Bissoondoth asserts, “it might facilitate the acquisition of knowledge, but would it facilitate the socialization necessary to life beyond the comforting confines of its walls?”¹⁰⁸

While Foster’s “afro-centric” school may not ever become a reality, ethno-culturally-oriented curricula and schools already exist in Canada. Two schools in the north-end of Winnipeg, one primary and one secondary, are designed specifically for the city’s growing aboriginal population. However, while the curriculum taught at both Niji Mahkwa primary school and Children of the Earth high school is specifically tailored for the aboriginal students, these schools were created and are administered by the Winnipeg public school system. Using public funds and resources to create what University of Winnipeg professor Hymie Rubenstein calls “legalized racial segregation” is bad enough. Unfortunately, the performance of the students at these two schools is even worse.

¹⁰⁷ Gwyn, 142.

The standardized provincial examinations administered to students across the province revealed that while the Grade 3 province-wide average in mathematics (which Rubenstein describes as the most “culture-free” subject) was 60.7 per cent, Nij Wahkwa students averaged 26.8. Time did not improve performance either, as the Grade 12 students at Children of the Earth high school averaged 26.8 per cent compared to the province-wide average of 65.9.¹⁰⁹

Anecdotal evidence confirms this dismal state of affairs. Rubenstein observes that this degree of academic failure, often a recurring theme for Aboriginal students, is usually explained away by invoking the siren call of cultural differences. Indeed, he notes that “any call to systematically test them is taken as prima facie evidence of systemic racism.”¹¹⁰ Worse still is the fact that the students at these two schools don’t appear to be learning about their own culture and heritage, the primary mandate of the specialized curriculum. In a 1994 external review of Children of the Earth high school, students commented that “in language class we just sit around. We’re not given time to learn anything. I haven’t really learned Cree,” or “some of the programs are not well organized. For example, Indigenous Issues, not much to do. Sat and watched movies. There were no assignments. Expected a lot more.”¹¹¹

¹⁰⁸ Ibid.

¹⁰⁹ Hymie Rubenstein, “Native students are shortchanged by separate but unequal schools,” in The Globe and Mail, March 20, 2000.

¹¹⁰ Ibid.

¹¹¹ Ibid.

Rubenstein also expects a lot more:

Retaining or re-learning traditional languages and preserving ancestral culture are understandable goals that individual native people have a right to pursue if they wish to do so. But what good is it to become fluent in Cree -- even if such fluency were actually being achieved -- and be left illiterate in English? What good is it to have high ethnic self esteem -- to be proud to be an Indian -- but be consigned to a life of material and intellectual poverty?¹¹²

A more complicated case involves the *hijab*, the scarf used in some Moslem traditions to cover the heads of women and girls. The conflict between religious freedom and the strict separation of church and state in Quebec's public education system simmered underneath the surface for many years. It came to a head in September of 1994 when a 12-year-old girl was excluded from l'Ecole secondaire Louis-Riel, a high school under the jurisdiction of the Commission des Ecoles Catholiques de Montreal (CECM, a public school board) because she insisted on wearing the *hijab* in contravention of the school's dress code. In February of 1995, in an advisory opinion, the Quebec human rights commission denounced the school's decision. The PQ government took a hands off approach, refusing to intervene on the grounds that no clear social conscience existed on the issue.

This was true even within the Moslem community, once again emphasizing the heterogeneous nature of cultural groups in Canada. It may be self-evident but it bears repeating that "within the broad stream of Islamic legal thought, there are profoundly different traditions of interpretation, contending among themselves."¹¹³ Those supporting the school board's decision argued that the *hijab* was a cultural marker signifying female inferiority and thus unacceptable in a secular society.

¹¹² Ibid.

Those critical of the decision argued that women wear it by choice, embracing it as a mark of piety and as a cultural marker that protests the all-too-prevalent emphasis in Canadian popular culture on women as objects of sexual gratification. In “Multiculturalism and the Limits of Toleration” Jeremy Webber concludes that “the controversy over the *hijab* highlighted the tensions that often exist between conceptions of citizenship and the recognition of difference. It reminded us that practises claimed to be fundamental can often be hotly contested even within the cultural groups concerned.”¹¹⁴

At the more extreme end of the spectrum is female genital mutilation, a controversial surgical procedure that can, in many cases, lead to infection and infertility. It is defended on the grounds that the procedure has cultural meaning and is a rite of passage for women. Who, they argue, are we to judge their cultural rituals and habits? However, society has rejected this argument as pushing the limits of cultural relativism. As Webber argues, living in a community involves concessions that go beyond simply avoiding conflict. People in a community must also live together, and that may be difficult if some parties engage in conduct that others find deeply unacceptable. Female genital mutilation certainly qualifies as such.

Thus, the question that needs to be answered is why the line is drawn in one situation and not another. Do health and medical concerns overwhelm cultural claims, or is it that it violates a set of legal and possibly human rights?

¹¹³ Jeremy Webber, “Multiculturalism and the Limits of Toleration” in Language, Culture, and Values in Canada at the Dawn of the 21st Century, eds. Andre Lapierre, Patricia Smart, and Pierre Savard, Carleton University Press, Ottawa, 2001: 276.

Webber provides an answer:

It is insufficient merely to say, ‘they belong to that culture; therefore they should be governed by that culture’s practices,’ because after all, we do not say that about our own practices. There are plenty of practices, entrenched within our own societies, that we vigorously contest. Few Canadians would object to the fact that paedophilia is punished severely, for example, even though there are some who claim, with apparent conviction, that there is nothing wrong with it. Why should another’s culture confer special immunity?¹¹⁵

The traditional practice of sealing, an important part of the traditional culture of Atlantic and Northern Canada, is a more tangible and more Canadian example of controversial cultural practices. As Will Alyward of Newfoundland asserts in a public relations kit for the sealing industry, “my family has gone sealing for generations...It’s a vital part of our culture.”¹¹⁶ Critics have argued that, traditional or not, this culture continues to feature inhumane practices such as the killing of baby seals and the harvesting of seal penises for the purpose of selling them as an aphrodisiac in international markets. But the assertion that sealing should be protected because of its place in traditional maritime culture still holds weight.

The practice of whaling and the conflicts between native communities and the government of Canada involves similar tensions. While whaling has been outlawed by almost every country in the world in order to protect diminishing whale populations, native groups have successfully argued that because it is a part of their traditional culture, whaling is a right that they can exercise. Of course, the high-speed boats and high-powered rifles that some native groups use to hunt whales were not part of the “traditional” cultural practice, and this discontinuity has rightfully raised the ire of many Canadians.

¹¹⁴ Webber, 271.

¹¹⁵ Webber, 273.

Despite this, the practice of Native whaling continues, defended by the argument that traditional cultural practices are exempt from contemporary laws and regulations.

While it might seem absurd, supporters of the Orange Order or the Klu Klux Klan could also defend their behaviours and traditions on the grounds that they constitute an important part of a unique culture. As Brian Barry posits, “If slave-owners in the South had had access to the currently fashionable vocabulary, they would doubtless have explained that their culture was inextricably linked with the ‘peculiar institution’ and would have complained that the abolitionists failed to accord them ‘recognition.’” The cultural claims of First Nations communities are the same as those of adherents of the traditional Orange Order. It is, of course, possible to make normative judgments about cultures, albeit carefully and under the rule of law. But sanctifying cultural practices, controversial or otherwise, simply on the grounds that they are part of a culture is not enough.

Instead, Canadian society needs to find the courage to embrace a certain level of cultural tension. There are no easy answers or simple boundaries and we must resist the temptation to think that there are. Cultural practices cannot be made off-limit to criticism and evaluation. Indeed, as Webber argues, the refusal to engage other cultures, regardless of the motivation, diminishes the value of their beliefs:

Our very reasons for valuing others’s conceptions of justice mean that we *cannot* be utterly deferential, utterly unconcerned. Otherwise, the beliefs’ normative character is subverted; they remain sterile, on the shelf, never employed to shape the human conduct...to respect them, we have to respect their normative character. Thus we come to the paradoxical need to make moral judgments, even across cultures, as an integral part of our respect for cultural difference.¹¹⁷

¹¹⁶ Barry, 275.

This is radically different from Canadian society's current strategy of avoiding cultural conflict whenever and wherever possible. It is also the most effective way to maximize the cultural contributions that each Canadian is capable of making. According to Parekh, diversity and cultural engagement can bring the best of each culture together to form a more complete whole.

Since human capacities and values conflict, every culture realizes a limited range of them and neglects, marginalizes and suppresses others. However rich it might be, no culture embodies all that is valuable in human life and develops the full range of human possibilities. Different cultures thus correct and complement each other, expand each other's horizon of thought and alert each other to new forms of human fulfilment.¹¹⁸

Webber's analysis is that this strategy actually exacerbates cultural alienation among immigrant cultures and groups. Challenging their particular conceptions of justice is a sign of respect and inclusivity in the broader society and will help accomplish the task of bringing new cultures out of their shell rather than forcing them back into themselves.

A corollary to the fetishization of culture and ethnicity is its commodification. As author Nino Ricci noted in February 1994 in *Profiles*,

in Canada, I don't think we've really explored how the immigration experience changes people, when they move from one country to another. It's easier just to comment on different foods and folkloric dances than to really understand what people go through when they emigrate....In Canada, there has been a tendency to trivialize.¹¹⁹

¹¹⁷ Ibid.

¹¹⁸ Parekh, 167.

¹¹⁹ Bissoondoth, 78.

Bissoondoth highlights Toronto's "Caravan" festival as a particularly egregious demonstration of the commodification of culture as a result of contemporary multicultural politics and policies. At Caravan, various ethnic groups rent locations and create "pavilions" to which access is gained through a "passport." As Bissoondoth notes, "once admitted – passport duly stamped at the door with a 'visa' – you consume a plate of Old World food at distinctly New World prices, take a quick tour of the 'craft' and 'historical' displays and then find a seat for the 'cultural' show, tradition songs (often about love in the wheat fields) and traditional dances (often about harvesting wheat) performed by youths resplendent in their traditional costumes."¹²⁰ He compares this reduction of complex, multidimensional cultures into easily digested stereotypes to a ride at Disneyworld called the "Jungle Cruise" that oversimplifies nature to a similar degree.

...It is a sad spectacle, the Jungle Cruise. The guide, in his big-white-hunter outfit, stands at the head of the boat spouting rehearsed wisecracks into the microphone. On shore and in the water – the Amazon, the Nile – mechanical creatures nod and huff in sightless animation. The guide, cool as a cucumber, fires a cap pistol to 'scare off' the threat of a curious hippo. To accept the reality of these creatures, to be sufficiently taken with them not to feel cheated, requires not imagination but the failure of it. This is nature remade and sanitized, Jungle the Good. It is illusion – and, being from Disney, is not meant to be more....And so it is with the ethnic cultures offered at the pavilions of Caravan and other such festivals: all the colourful ethnics bowing and smiling in mechanical greeting at the tourists. They look like the real thing, but their smell is synthetic. They have no bite. They are safe. Culture Disneyfied.¹²¹

According to Bissoondoth, an accurate cultural pavilion would offer, along with the costumes and the dances and the foods, photos and videos of important political and historical moments, honest explanations of social turmoil and economic struggle, of all the nuances that make a culture whole.

¹²⁰ Bissoondoth, 82.

¹²¹ Bissoondoth, 83.

But, he asserts, this kind of frankness would be profoundly out of step with the treatment that the contemporary multicultural discourse affords foreign cultures. More importantly, it touches on the recurring theme of multicultural policies that harm those they are trying to help. “Multiculturalism,” he argues, “with all of its festivals and its celebrations, has done – and can do – nothing to foster a factual and clear-minded vision of our neighbours. Depending on stereotype, ensuring that ethnic groups will preserve their distinctiveness is a gentle and insidious form of cultural apartheid, multiculturalism has done little more than lead an already divided country down the path to further social divisiveness.”¹²²

¹²² Bissoondoth, 90.

Chapter 8: The power of skin politics

The changes in the foundations of Canadian multiculturalism have been discussed. Equality has been replaced with parity, empowerment with aggrievement, reciprocity with retribution, and freedom with fetishization. These changes have made many Canadians forget what multiculturalism was originally about and the goals that it intended to achieve. It is important to remember that Trudeau's vision of a multicultural society was founded on the hope that race, culture, and skin colour would become as important as the size of one's shoes or the colour of their underwear. In other words, cultural politics would lose the cache that they had when the policy was implemented, and indeed always have had. Rather than being points of difference and lines of separation, culture and race would become simply one of many personal characteristics that exerted no influence on judgments of the person.

It has not worked out that way. Rather than ignoring or suppressing cultural and racial features, the contemporary multicultural discourse instead highlights them. Maurizio Bevilacqua, the son of an immigrant and a current Liberal cabinet minister effectively highlights the incongruity between the origins of official multiculturalism and the government programs that support it. Accord to Bevilacqua "official multicultural policy embraced all Canadians with the exception of the English, French, and native components. To be a truly national policy it must represent everyone, not just the "others".

John Nunziata, a Liberal MP until he opposed the GST, argues that multiculturalism establishes a clear distinction between Francophones and Anglophones on the one hand and the multiculturals or the immigrants and sons and daughters of immigrants on the other hand. Instead of bringing them into the fold, it relegates them to the periphery.

The gap between Trudeau's announcement of official multiculturalism in 1971 and the first piece of legislation that supported his vision in 1988 allowed others to establish control over the multicultural discourse. Instead of minimizing cultural differences and the tensions that surround them, the multicultural discourse draws them out and elevates their importance. As Martin Loney observes, the result of the proliferation of policies purporting to address racial discrimination is the entrenchment of racialized thinking. In his view, the obsession with skin politics "serves not to diminish the accident of race but to endlessly proclaim its importance in asserting the putative oppression experienced by those who are thus identified."¹²³

Loney identifies the term "people of colour" as indicative of the kind of racial thinking that is entrenched in this discourse. He observes that

the origins of this terminology, which carries the implicit assumption that there are people without colour, lie in the politics of the radical feminist movement. The phrase has now permeated our national discourse, gracing not only the hiring policies of Canada's academic institutions, but also the CBC, always an ardent purveyor of group grievance, and even the sober pages of Canada's national newspaper, *The Globe and Mail*. It is worth pausing to reflect on the route by which this loaded term has received such wide currency. It is underpinned by the assumption that what unites a wide range of people – some of them immigrants, others descendents of those who arrived in Canada a hundred or more years ago, from diverse ethnic backgrounds, with an enormous variance in skills, income, and wealth – is colour.

¹²³ Loney, XI.

This is racial thinking, a sociological characterization of apartheid South Africa or the Deep South in the Jim Crow era.¹²⁴

Earlier in this thesis the questionable hiring practices of the public service were discussed in the context of the equality-parity divide. But that analysis also underscored the emphasis that the public service commission places on racial and cultural characteristics. In other words, they are practicing skin politics, and they are not alone. Many – even most – universities now require information about ethnicity, race, and gender as a prerequisite for application, something which is at odds, if not in direct conflict with, the Canadian Charter of Rights and Freedoms. Dalhousie University has an application form that, *inter alia*, solicits group information. St. Thomas University is even more aggressive in its search for identity-related information from applicants: “The Employment Equity provision of the St. Thomas University Collective Agreement requires the Department Chairperson to request that each applicant for a full-time faculty position complete a self-identification questionnaire.”¹²⁵

The hiring policy of the Drama Department at York University is representative of the attitude that most Canadian universities have towards minority groups, and as such warrants investigation. From the methods used in advertising and recruiting for a new position to the goals of the department’s human resources policy to the candidates themselves, identity considerations are at the forefront of the process. Both of the department’s two stated hiring priorities aim at encouraging diversity in the department.

¹²⁴ Ibid.

According to the department's official document, hiring must work "towards ensuring that new hirings of faculty, staff and P/M personnel reflect our commitment to increasing the presence of people of colour."¹²⁶

With respect to advertising strategies, "inclusively worded notices in specifically targeted publications" that include "the newly configured affirmative action language as stipulated by the Office of the Academic Vice President and the Office of Academic Staff Relations as of August, 2000"¹²⁷ are not sufficient. According to the policy, phone calls must be placed to prospective candidates encouraging them to apply. The search committee must also contact national service organizations, arts councils, professional institutions within the field, and even "some less conventional outreach events" to find suitable candidates that satisfy the department's ethno-cultural requirements.

The University of Saskatchewan's employment equity program is even more specifically tailored to recruit minority candidates. Interestingly enough, the University's document also contains a section of frequently asked questions about the program in an effort to dispel concerns about "reverse discrimination" and the prioritisation of identity above merit. For example, one of the answers in the section asserts that "what employment equity tries to do is avoid making present and future mistakes."¹²⁸ This seems to conflict with the university's stated policy of holding both closed competitions for minority candidates only and competitions in which "other" candidates will be considered only if no suitable minority candidates are found.

¹²⁵ Loney, 295.

¹²⁶ http://www.yufa.org/docs/aa_thea01.doc

¹²⁷ Ibid.

The University of Saskatchewan's employment equity policy also appears to lean heavily on the argument, made by Iris Young and discussed earlier in this thesis, that traditional merit-based qualifications like education, previous job experience and applicable skills are not necessarily reliable indicators of future job success. The policy asserts that employment equity is designed to "establish more realistic and relevant standards for employment. It does not lower them. It means employers may have to develop selection criteria that measure the skills required for the job instead of artificial criteria that serve only to restrict applicants and screen out [designated] group members."¹²⁹

The University of Saskatchewan and York University are not alone in their aggressive commitment to fostering diversity in the workplace. At the University of Ottawa's Law School, students who face "special barriers related to race or culture" are given extra time on examinations.¹³⁰ The University of British Columbia's Law School offers to appoint suitably qualified designated group applicants to senior positions, essentially allowing them to bypass the normal hiring process. In an article written for the *National Post*, Martin Loney writes that this is "an option not available to those lacking in melanin and burdened with the wrong chromosome."¹³¹

Once again, in spite of the good intentions that are often cited, the ends cannot be rationalized to justify these means.

¹²⁸ The policy can be found at www.usask.ca

¹²⁹ Ibid.

¹³⁰ Martin Loney, "Prejudice in the Law Schools" in *The National Post*, April 21, 1999.

¹³¹ Loney, *National Post*.

Indeed, even recognizing these arguments as valid is to take what Nathan Greenfield describes as “the first step toward accepting what I believe to be the greatest threats to citizenship in my new country: racial thinking and clientalism. Racial thinking – let’s be honest, *blood* thinking – used to be the preserve of White Supremacists who believed that ‘one drop of nigger blood makes a man a nigger.’”¹³² Ali Sharrif and the Somali community’s experience in the Toronto’s broader black community, discussed earlier in this thesis, confirm the persistence, albeit sanitized, of this attitude. Multiculturalism should be working against it, not supporting it.

Loney reinforces this point in the context of a more broadly-based analysis of Canadian cultural history, asking “what does it have to do with a country where, in spite of the best efforts of racial zealots, race has remarkably little salience in our national politics or sense of nation?”¹³³ This last point is perhaps Loney’s most important. While it might seem unlikely in today’s intellectual climate, race has never played a terribly important role in the political and social judgments made by the average Canadian. In *Continental Divide*, a comparative analysis of Canadian and American values published in 1990, Seymour Martin Lipset argues that race has not been a statistically significant influence on the attitudes of Canadians for at least a generation.¹³⁴ Instead, language and religion were the determining socio-cultural factors. One is tempted to ask whether racial thinking is a *product* of the multicultural discourse rather than its genesis.

¹³² Andrew Cardozo and Louis Musto, The Battle over Multiculturalism: Does It Help or Hinder Canadian Unity? Pearson Shoyama Institute, 1997: 104.

¹³³ Loney, The Pursuit of Division, XIV.

¹³⁴ Seymour Martin Lipset, Continental Divide: The Values and Institutions of the United States and Canada, Routledge, New York, 1990.

In the context of the hiring practices of the public service, Globe and Mail columnist Margaret Wentz observes that

personally, I'd be thrilled if our public service looked more like Canada. I'd be even more thrilled if all our children grow up colour-blind. But how can we expect them to if we keep flogging them with the politics of identity? How can we expect them to be colour-blind when our own government insists on racial profiling as the basis for its hiring policy?¹³⁵

It is a question that deserves an answer. This thesis has discussed the content of the changes in the multicultural discourse at length. In order to provide an answer to Wentz's rhetorical question, it now turns to how these changes happened in the first place and why they have gone largely unchallenged before concluding with some suggestions on how it can be fixed.

Chapter 9: The new multicultural discourse

The changes to the foundations of multiculturalism in Canada since 1971 are deeply troubling. The sometimes-suffocating climate in which discussions, and particularly criticisms, of official multiculturalism take place is equally worrisome. It is not easy to question the current multicultural orthodoxy without leaving oneself open to accusations of racism. This stifling climate has evolved to the point where almost any criticism of the dominant discourse in which minorities are the victims and white Europeans the oppressors is equated with outright racism.

Not surprisingly then, efforts to publicly challenge Bissoondoth's "holy cow" are largely unwelcome. As Bissoondoth himself notes: "my own attempts to contribute to public discourse have been met with nervous silence, a certain vilification and, finally, the explicit demand at one conference that I *Shut up!*, since criticism of multicultural policy, I was told, would serve only 'to encourage racists like the Reform Party.'" ¹³⁵ Li Zhong, a sociology professor at the University of Saskatchewan, describes those opposed to the multicultural agenda and items on it like preferential hiring, the primacy of culture and indeed official multiculturalism as practitioners of "new racism." York University professor Frances Henry shares this characterization, elaborating on Zhong's "new" or "democratic" racism in *The Colour of Democracy*. In it, she argues that racism has not disappeared but simply become more sophisticated and subtle, revealing itself in criticisms of multiculturalism.

¹³⁵ Wente, Globe and Mail.

¹³⁶ Bissoondoth, 5.

Bissoondoth notes that the stifling rules of discourse surrounding multiculturalism prevent it from getting the proper airing that it needs to stay contemporary and relevant. According to Bissoondoth, the hostile reaction of defenders of multiculturalism “has more than a little to do with the psychology of the True Believer, who sees Canada’s present multiculturalism policy – generous and laudable, prompted by an inclusive vision of humanity – as the only one possible. But no policy can be written in stone; no policy is immune to evolution.”¹³⁷

For anyone who has criticized contemporary multicultural politics and the institutions that support it, the arguments presented in Michel Foucault’s *Discourse on Language* are helpful. Foucault writes that “we must conceive discourse as a violence that we do to things, or, at all events, as a practice we impose upon them; it is in this practice that the events of discourse find the principle of their regularity.”¹³⁸ Put more simply, the way we discuss an event exerts an influence on the characteristics of the event itself. The discourse also acts as a set of rules that govern how the discussion takes place and who is able to speak. Foucault’s describes these as “internal rules, where discourse exercises its own control; rules concerned with the principles of classification, ordering, and distribution.”¹³⁹

Controlling the discourse allows groups and individuals to manage the production of truth and control its definition. This is what Foucault calls the “will to truth”:

¹³⁷ Bissoondoth, 5.

¹³⁸ Foucault, Michel, *The Care of the Self: History of Sexuality, Vol. 3*. Trans. R. Hurley. Random House, New York, 1986(b): 158.

Of the three great systems of exclusion governing discourse – prohibited words, the division of madness and the will to truth – I have spoken at greatest length concerning the third. With good reason: for centuries, the former have continually tended toward the latter; because this last has, gradually, been attempting to assimilate the others in order both to modify them and to provide them with a firm foundation. Because, if the two former are continually growing more fragile and less certain to the extent that they are now invaded by the will to truth, the latter, in contrast, daily grows in strength, in depth and implacability.¹⁴⁰

This “will to truth” exerts a subtle but powerful pull towards a specific – and codified – conception of truth to the exclusion of all others. Anyone, like Neil Bissoondath, who dares to challenge this orthodoxy faces immediate criticism and even personal attack.

There are myriad examples of the rules of discourse on multiculturalism in action in the Canadian context. Ironically, the majority of these occur in the halls of Canada’s highest academic institutions, which ought to be the home of the highest levels of intellectual tolerance, respect, and freedom in all of society. This is particularly troubling because, as the discourse continues to take hold of the universities and colleges across the country, it will influence the students that study within them. In essence, if this climate does not change it will create an entire generation of Canadians who believe in and, in some cases, actively promote this discourse, eventually extending its reach to all sectors and segments of society.

Judy Rebick, the former president of NAC and a member of Canada’s intellectual elite, denounced respected UBC political science professor Philip Resnick’s attack on the implicit preferential policies rooted in race and culture in his university’s search for a new president, sneering that he “was once left wing.”

¹³⁹ Foucault, 152

¹⁴⁰ Foucault, 151.

As Loney argues, “this Orwellian rewriting of history suggested that the Canadian new left born in the struggles of the 1960s favoured hiring on the basis of group characteristics. The reality is, of course, the reverse. The principles espoused called on people to be treated as individuals. Rebick, in contrast, was clear that being a woman or a minority was indeed a particular qualification for appointment to the UBC position.”¹⁴¹ UBC Assistant Professor of Women’s Studies Sunera Thobani weighed in on this conflict, writing in the letters section of the *Globe and Mail* on September 23, 1996. Thobani opined that “only by taking affirmative action can this historic preference be countered, and a level playing field created whereby merit can indeed become the principle criterion in hiring.”¹⁴² According to Thobani’s logic, in order to abide by the merit principle it must first be abrogated.

The battleground in Canada’s academic institutions over employment equity, equality, discrimination, and other components of the multicultural debate, is still contested ground. Academics such as UBC’s Kathryn Harrison continue to assert that “minorities face conscious and systemic practices that discourage them from pursuing graduate studies and academic careers.”¹⁴³ Linda Carty, in a contribution made to an anthology that looks at the university as “a site of feminist struggles,” asserts that knowledge produced at universities is “Eurocentric, white and male and therefore inherently gender-biased and racist.”¹⁴⁴

¹⁴¹ Loney, 37.

¹⁴² Loney, 297.

¹⁴³ Loney, 300.

Or Esmeralda Thornhill, the James Robinson Johnstone Chair in black Canadian studies at Dalhousie University's law school, who claims that "visible-minority students are exposed to discriminatory educational practices which, like a multitude of timeless voices, tells them loudly or softly that they are intellectually, emotionally, physically and morally inferior."¹⁴⁵

As with the suspect statistics upon which preferential hiring in the public sector rests, the facts simply do not support these kinds of conclusions. Loney makes the sarcastic observation that "this message apparently failed to reach the very large visible minority population at the University of Toronto."¹⁴⁶ Indeed, according to a 1994 University of Toronto survey, 41.3 per cent of students at the university are visible minorities. One possible rebuttal to Loney's argument is that, while minorities enjoy success at the post-secondary level, they do not make it to those institutions as often as their non-minority counterparts.

But, as Neil Guppy and Scott Davies make in *Education in Canada: Recent Trends and Future Challenges*, a report created for Statistics Canada and the Minister of Industry in 1998, minorities succeed at the high-school level as well. Using 1991 census data and a 1994 Statistics Canada survey, Guppy and Davies conclude that virtually all of the visible minority groups have high school graduation rates that are superior to those of other Canadians. Finally, there is the post-graduate level, and minorities succeed here as well. In Canada's overall student population one in five PhD graduates are visible minorities, twice their proportion in the wider student and general populations.

¹⁴⁴ Loney, 315.

¹⁴⁵ Loney, 310.

¹⁴⁶ Ibid.

Whatever some might say, it certainly seems that members of cultural minority groups face no substantial barriers to academic achievement.

Loney also highlights the hypocrisy inherent in the position of Sunera Thobani on her qualifications to lead NAC. According to Loney,

Thobani, not even a landed immigrant by the time she had decided she had the prerequisite biological qualifications to lead NAC, constantly emphasized the entitlement she believed flowed from skin colour. Thobani, a member of the “coordinating collective” of the tax-funded Vancouver Status of Women organization, was the principle author of what was called, in the Orwellian vocabulary popular in such discussions, an “anti-racist” policy. This resulted not in the elimination of racial bias but in its introduction. White staff were replaced, and 75 per cent of the staff became “women of colour.”¹⁴⁷

Loney confirms the existence of Foucault’s rules of discourse by highlighting the fact that those who failed to accept the claims of people like Thobani risked denunciation as racists.

Suggestions that Thobani’s exceptionally few years in the country constituted scant qualification to lead a movement that purported to represent Canadian women, or that her obsession with skin colour was divisive, were dismissed “as part of the backlash against feminists, particularly feminists of colour who challenge white domination.”¹⁴⁸

Whatever else it means, the will to truth in today’s multicultural discourse does not support Trudeau’s initial conception of the policy as a way to enhance the status of the individual and reduce the salience of ethno-cultural difference. Equally clear is that those who criticize today’s group-oriented, difference-obsessed discourse are not welcome to share their thoughts and face substantial penalties if they do.

¹⁴⁷ Loney, 38.

¹⁴⁸ Ibid.

The ethnic chairs created at Canadian universities by the Heritage Cultures and Language Program as part of Bill C-37 in 1991 have been sites of particularly intense conflict over control of the multicultural discourse. In July of 1996, Professor Harjot Oberoi, a Punjabi-born scholar, abandoned the chair in Sikh Studies at the University of British Columbia that he had held since its establishment in 1987. The reason for his departure is troubling. His book on Sikh history, *The Construction of Religious Boundaries*, published by a prestigious university press, had argued that Sikhism had its roots in Hinduism and Islam. As with Irshad Manji's controversial new book *The Trouble with Islam*, local religious and community leaders were outraged. They angrily asserted that the Sikh faith is both divinely inspired and completely separate from Hinduism. As Canadian historian J.L. Granatstein observes, this was more than a minor squabble within a religious community:

The UBC chair in Sikh Studies was one of many chairs established at Canadian universities under the aegis of the federal government's multiculturalism program. The UBC chair had been created with \$350,000 raised from within the Sikh community and a matching grant provided by Ottawa. In other words, Canadians's tax dollars had been used to establish the post, and the outrage of a small section of the tax-paying community had been used to drive Oberoi from it.¹⁴⁹

York University professor Reg Whitaker supports Granatstein's analysis, arguing that "with Dr. Oberoi...the 'community' has exercised a *de facto* veto placing faith ahead of scholarship....Multicultural mumbo jumbo aside, governments have no business throwing tax dollars into efforts by religious or cultural minorities to preen their own self-images. They can do that on their own."¹⁵⁰

¹⁴⁹ Granatstein, 82.

¹⁵⁰ Granatstein, 83.

The University of British Columbia is not the only campus where this battle is taking place. The Sikh Studies program at the University of Toronto was discontinued in the early 1990s for similar reasons. The Ukrainian Studies chair at the University of Toronto was embroiled in a long controversy in the 1980s that centred around the same conflict between community and cultural obligations on the one hand and academic freedom on the other. The question remains that if this kind of restrictive control over intellectual freedom can occur at universities, to tenured professors, what effect does this have on the public discourse as a whole?

At least a partial answer comes from south of the border. On February 5, 2003, the Indiana Daily Student, the campus newspaper at Indiana State University, published a controversial cartoon criticizing the University of Michigan's affirmative action policy.

B. Afena Cobham, a Ph.D. candidate in the School of Education, called for the resignation of editor John Paul Benitez.

Since the cartoon's publication, a coalition of black students have heard statements from the IDS representatives defending Benitez's action as protected free speech. We disagree...Based on his inability to discern unethical material, we call upon John Paul Benitez to resign from his position with the *IDS* immediately. If he refuses, then he should be removed. His action is not protected free speech and has no place on a college campus.¹⁵¹

Cobham argues that free speech does not apply if you criticize the multicultural orthodoxy, even on a university campus. Although Benitez didn't resign, Cobham did receive an award from the university's multicultural commission for her passionate advocacy of multicultural values.

The discussions of multiculturalism in the media are no more promising than those in academia. Those who defend the policy and those who criticize it tend to trot out the same simplistic and worn-out arguments time and again. Instead of stimulating thoughtful public discussion about the value of multiculturalism and ways in which to improve it, the public discourse acts to stifle it. Supporting arguments, particularly those provided by the federal government, are long on rhetoric and short on meaning.

¹⁵¹ Indiana Digital Student, Opinion, Feb 10 2003.

This quote from Hedy Fry, who was the Secretary of State for Multiculturalism until she incorrectly accused people in Prince George of burning crosses, is indicative of the intellectual pablum that the government serves to Canadians: “The beauty of Canada lies in its geographic, human, linguistic and cultural diversity. That beauty also lies in the fact that our identity which is rooted in our history is still being shaped and all Canadians are part of that endeavour.”¹⁵²

At a speech given at the Juliet Cuenco Memorial seminar on May 27, 1996, Fry asserts that “multiculturalism is the polar opposite of apartheid.”¹⁵³ What would she say when presented with the argument, posited by both Neil Bissoondath and Martin Loney, that multiculturalism encourages the practice of skin politics and a new kind of apartheid? She provides the answer later in the same speech, loudly proclaiming that “it’s because ethnocultural groups are making progress that we hear from the far right wing. It is because multiculturalism is more than tokenism that we hear from those who are afraid to open up society, afraid to adapt, afraid to move forward, afraid to build a world respect multicultural future.”¹⁵⁴

This sweeping generalization is offensive to Loney, a former Marxist-Leninist scholar and current professor at Simon Fraser University, and Bissoondath, a respected author who is clearly concerned with improving the plight of minorities in Canada. It is also indicative of the hostile climate that makes constructive discussions of multiculturalism almost impossible.

¹⁵² www.hedyfry.com

¹⁵³ Andrij Wynnickyj, “Canadian Policy for 25 years: Multiculturalism still seen as vital,” The Ukrainian Weekly, June 9, 1996, No. 23, Vol. LXIV.

Failing to find it in their political leaders, the public often looks instead for direction from journalists, commentators, and others who are part of this country's media. The standard right-wing critique, reliably found in the pages of the *National Post* or even the *Globe and Mail*, usually revolves around the expression of discomfort with the multiplicity of consciousnesses and culture, and a marked preference for or a belief in the superiority of "Western" culture: Take the *National Post's* Mark Steyn in "Multiculturalists are the real racists," published on August 20, 2002. He takes the example of a group of Lebanese Muslim gang-rapists, the leader of which was sentenced to 55 years in jail. He creates a straw dog by selecting a single letter in the Sydney Morning Herald that defends multicultural considerations with comic book simplicity and then proceeds to knock it down.

Witness this mock dialogue in the article, with the letter first and his response afterwards: "Perhaps it's time to take a good hard look at the racism by exclusion practised with such a vengeance by our community and cultural institutions....Indeed. Many's the time, labouring under the burden of some or other ghastly Ottawa policy, I've thought of pinning some gal down and sodomizing here while 14 of my pals look on and await their turns."¹⁵⁵ He proceeds to produce a random and statistically unrepresentative figure that states that in Norway 65% of rapes are committed by non-western immigrants, comments that Muslim cultures believe that "women are responsible for rape" and concludes with observation that "in 20 years time the majority of Holland's children will be Muslim. Europe is the colony now."¹⁵⁶

¹⁵⁴ Ibid.

¹⁵⁵ Mark Steyn, "Multiculturalists are the real racists," in *The National Post*, August 20, 2002.

¹⁵⁶ Ibid.

Intellectually careless and fundamentally xenophobic, this sort of criticism only serves to diminish the level of discourse and oversimplify a subject that is anything but simple.

The left-wing critique isn't any better. The standard left-wing critique of multiculturalism, personified most publicly by Sunera Thobani, claims that multiculturalism does not go nearly far enough in combating the Eurocentric prejudices in Canadian society. Instead, recognizing differentiated conceptions of justice is the most effective way to remedy the systemic inequality faced by cultural minorities in Canada. Although arguments from the political left are not one and the same, they do share in common an appreciation for the four founding principles of the new multicultural discourse. Parity, aggrievement, entitlement, and cultural fetishization, are all central features of the left-wing critique, and as such they work against Trudeau's multicultural vision.

Taken together, while criticisms of multiculturalism on the political right and left are different in their composition, they share similar methods of attack. While the stated objectives are different, from the preservation of "traditional" Canadian values for the right-wing to the amelioration of the conditions in which cultural minorities still live for the left, both critiques lean heavily on racially-charged language and racial thinking. Perhaps this unproductive multicultural discourse is, at least in part, a product of the way in which public discussions take place today. Controversial arguments and fiery rhetoric are far more successful in garnering attention from the print and visual media. Reasonable and balanced arguments simply aren't that exciting. Consequently, debates over multiculturalism tend to take place between the radical right and the equally radical left, with little room for moderate voices.

Neil Bissoondath, Richard Gwyn, Martin Loney, and J.L. Granatstein have achieved a measure of success in producing careful and considered critiques of multicultural policy. Their moderate voices are also precisely what the discussion needs if it is to find a productive and meaningful solution.

Chapter 10: Conclusion - Making multiculturalism work

I would like to return to the guiding metaphor of this thesis. The foundations of Canada's multicultural house have been replaced with ones that are far less reliable than those laid by Trudeau over thirty years ago. His inclusive, forward looking, individual oriented policy that was designed to enable cultures to overcome cultural differences and promote cultural exchange without a loss of identity has been replaced by an exclusionary, historically rooted and racialized manifesto that emphasizes the importance of groups and valorizes the differences between them. Far from creating cultural liberty and freedom, multiculturalism has instead locked people inside their conscribed ethno-cultural boundaries.

But while the changes in the foundations of the multicultural house are slowly but surely destroying the entire structure, it can still be saved. The demographic reality is that Canada is a multicultural country and that it will continue to diversify in the future. Ethnicities that are now in the majority will become cultural minorities, and vice-versa. That said, saving multiculturalism is not a matter of cultural aesthetics or convenience, but instead a fundamental issue that will either bring Canadians together or drive them apart. As the owners of the house, Canadians must stop changing the locks every few years to provide access for certain groups and restrict it for others. This final section will present some ideas on how to effectively renovate the multicultural house so that everyone will feel welcome within it.

Restoring Trudeau's multicultural vision will present difficulties. The changes made have been profound – inclusive multiculturalism, a forward looking, individual-oriented policy that wanted to minimize the salience of cultural differences has been replaced by exclusive multiculturalism and a racialized retributive infrastructure that highlights difference and considers the individual only in the context of the group. The new discourse is defined by a set of questionable assumptions that are themselves built on a mountain of poor methodology and disputable data. Even if the government suddenly realizes the magnitude of the problem and decides to take decisive action to address it, throwing money at the situation or creating more cultural red-tape will not in and of itself work.

First and foremost, to change the discourse Canadians have to be willing and able to talk about it. As outlined earlier, Canadians have become afraid to speak about multiculturalism, and those that do are usually subjected to ridicule or pejorative personal attacks. While talk is often portrayed as a means to an end rather than an end itself, it isn't unproductive. It provides the public both with information and an opportunity to field-test their beliefs. They also build tolerance and a sense of community, vital features of a healthy multicultural society.

Cultural freedom, both for cultures and their constituencies, must be restored. In turn, these cultures need to adapt to changing circumstances if they are to remain relevant and not become antiques. Nothing can be off-limits to these discussions, and nothing should be shielded behind a restrictive cultural discourse. This does not mean that minority cultures do not deserve support – quite the opposite, in fact.

But the federal government should be in the business of cultural promotion rather than protection. Similarly, as Trudeau argued, this help must come with the understanding that these cultures need to participate in all of society. They cannot retreat into themselves or their rancorous, retributive wish-lists. An empathetic or participatory concern, not a sympathetic or observational one, must be the perspective from which individuals from different cultures share concerns and build solutions.

One of the most successful democratic exercises in recent history was the Romanow Report on Healthcare in 2002. The government spent \$15 million to support the former Saskatchewan Premier as he travelled the country, not to tell Canadians what to think but instead just to *listen*. The process was not the usual political exercise in which a politician “listens” to the public while trying to push the public towards a particular position. Instead, Romanow carefully listened to what Canadians had to say about healthcare and their ideas for how to fix it. As Canadians talked, they learned.

Unfortunately, the Romanow Report was an isolated incident amid a political culture that is uninterested in listening to the public. In recent years, the bulk of Canadian public political discourse has revolved around the inane happenings in the Liberal leadership race, or Stockwell Day’s latest public relations blunder. But on matters of policy, the public is neither involved nor interested. John Ralston Saul doesn’t blame them, and discusses this democratic weakness at length in *Reflections of a Siamese Twin*, arguing that this country’s political elite engages the public on the same level that a parent engages a young child.

In his analysis of the implications of the 1995 Quebec referendum, Saul notes that “the citizens have gathered neither to worship their leaders nor to be condescended to. They are hoping to hear, from those with responsibility, something that might help them, the citizens, to understand the situation and to act. They are expecting to be addressed as if they were the source of legitimacy and not just a crowd susceptible to easy emotions. They are assuming that their leaders will enunciate clearly the sort of arguments the citizen will feel comfortable assuming and using. Instead, they were subjected to cheap patriotism.”¹⁵⁷ Substitute rhetorical flourishes for cheap patriotism and Saul’s comments reflect the public discourse around multiculturalism.

The publication of the Romanow Report on Healthcare in 2002 was a break from this growing tradition of not informing or engaging the public substantively in important matters of policy. The Canadian media treated its release as a true event, which is remarkable considering the history of marginal interest in Royal Commissions in this country. Newspapers across the country devoted whole sections to a point-by-point analysis of the content of the report, as well as the usual array of irreverent and irrelevant social commentaries on the topic. Moreover, the discussion did not disappear after a day or two in the papers. In bars and offices, in public and in private, people discussed the Romanow Report with a kind of fervour that is foreign to most policy discussions. It proved that the public is capable of engaging complex policy issues at a sophisticated level. The problem is that their political representatives are largely unwilling to give them the opportunity.

¹⁵⁷ John Ralston Saul, Reflections of a Siamese Twin, Penguin Books, Toronto, 1998: 234.

Saul goes on to identify Pierre Trudeau as the last Prime Minister who truly engaged the public as capably intelligent citizens rather than a collection of idiots with votes. In contrast, John Turner, Brian Mulroney, Jean Chretien and Paul Martin have, for the most part, tried to avoid substantive discussions of public policy. That is a shame, because as Canadians we have difficult decisions to make and priorities to establish in the next few years and cannot do this to the best of our collective abilities without sufficient information.

In order to restore an inclusive vision of multiculturalism, the government of Canada needs to find the courage to create an even more extensive exercise in listening on multiculturalism than was had over healthcare. The government needs to be courageous enough to spend \$20 million or more on the process without a guaranteed outcome. It needs to find someone of Roy Romanow's stature to oversee the process. It would not produce instant results that could be quantified, verified, and presented to the public as evidence of success. It is a long-term process and one that will extend through a number of governments. It will not win any votes, and it will not secure the fortunes of any political parties or individual politicians. But, as with the Romanow Report, it's the right thing to do. As Canadians talk and listen openly about multiculturalism, the public discourse can begin to improve.

Once the public is able to discuss multiculturalism openly and without reserve, the process of rebuilding Trudeau's multicultural vision and unlocking the cultural prisons can begin in earnest. This process must be founded on a commitment to ensuring equality in all areas of public life, irrespective of cultural or racial origins.

Hiring targets must be replaced with a system that works to expand the pool of applicants, including visible minorities, but services merit and other relevant achievements before other considerations. Political parties must intensify their efforts to recruit qualified minority candidates in order to increase their representation in elected office while ensuring that they do not discriminate against non-minorities. Academics must find the courage to defend intellectual freedom in the universities and colleges of Canada, where many of this country's future leaders are groomed. It will take a total effort to return multiculturalism to its roots as an inclusive policy that seeks out cultural injustices and assuages them. Make no mistake, these injustices still exist and they demand redress. Official multiculturalism was a remarkably prescient policy decision in 1971. Perhaps its partial failure to date is because it was so far ahead of its time.

This thesis does not argue that the failure of multiculturalism is complete or unrecoverable. But with current demographic trends promising to make those of English and French heritage a minority in Canada in the near future, the time for a thorough rethinking of multiculturalism is now, not later. If it is pursued more prudently, more thoughtfully, and more decisively than it has been so far, it may well outshine the Charter of Rights and Freedoms as Pierre Trudeau's greatest gift to Canada. But we cannot create justice in this country by perpetuating injustice, no matter how noble the ends might be.

If the dominant multicultural discourse continues to focus on what has passed rather than what is to come, if it remains obsessed with emphasizing difference rather than marginalizing its importance, if it valorizes groups at the expense of individuals, and if it remains a closed discussion rather than an open debate that all Canadians are free and able to engage in, Canadians will never realize the society that Trudeau described in 1971.

I speak of a Canada where men and women of aboriginal ancestry, of French and British heritage, of the diverse cultures of the world demonstrate the will to share this land in peace, in justice, and with mutual respect.¹⁵⁸

¹⁵⁸ Quoted from a speech delivered by Prime Minister Trudeau in 1982 after the patriation of the

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