

Diversity in Nation Building:  
Challenges with Race and Culture

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*Abstract:*

Nation building which has social inclusion as a desirable outcome must have the concept of diversity imbedded in its political framework. However, in the Canadian case, diversity is paradoxically entangled between legal frameworks, welfare traditions and political privileges. Yet, it has become fashionable for nations such as Canada to pose the notion of 'diversity' on the world stage as a national achievement which merits distinction. This presentation of diversity as social achievement is premature and sits in tension with moral realities. In Canadian nation-building, diversity is a national work in progress caught up in political ambivalence.

This paper will interrogate the concept of diversity as it currently exists and explore the contradictions and ambiguities which challenge just nation building in Canada. Using census data and national population studies this examination of diversity will show that in the Canadian case only modest attempts have been made to embrace diversity as a principle of Canadian political development.

*Introduction:*

Five documents are important in the examination of Canadian policy intentions regarding diversity as a national characteristic. These include the Canadian Bill of Rights 1960; the report of the Royal Commission on Bilingualism and Biculturalism 1963-69; The Multiculturalism Policy 1971 and later Act of 1988; the Canadian Human Rights Act 1977 and the Canadian Constitution Act 1982. Citizenship privileges underpin the core of these documents; freedoms are guaranteed, social inclusion is espoused and acceptance of cultural differences is advocated. Diversity is articulated as a reality in all documents and the laws

suggest that ethno-racial or ethno-cultural differences must not be bases for exclusion or discriminatory treatment.

These documents are important in a Canadian population in which just over 13% are visible minorities (3.9 M) in a total population of 31.6 million. Citizenship guarantees are also essential for political and social stability since Canada depends on immigration for two-thirds of its population growth (Census Canada 2007) and since the majority of immigrants to Canada in the 21<sup>st</sup> millennium are visible minorities.

**Table 1**  
**Visible Minorities in Canada:**  
**Total of all Visible Minorities 3,983,845**  
**2006 census:**

Chinese	South Asian	Black	Filipino	Latin American	South-East Asian	Arab	West Asian	Korean	Japanese	V.M. n.i.e.	Others
1,029,400	917,070	662,210	308,575	216,980	198,880	194,685	109,285	100,660	73,315	98,920	73,875

Note:

The term visible minority is used to identify non-white persons whose ethno-racial characteristic is visibly identifiable. Visible minorities originate from countries around the world and are also born in Canada. In fact, many visible minorities have been residents of Canada for many generations. The First Nations of Canada are excluded from this characterization

**Public Policy and Social Diversity:**

The Canadian Bill of Rights 1960 followed much ethnic turmoil in the years preceding the Royal Commission on Bilingualism and Biculturalism. The overt racism of the early nineteenth century, French/English disagreements regarding

unequal distribution of economic and political power and privilege and the still unsettled relations with the First Nations peoples characterized early Canada as a nation in cultural conflict.

The tabling of the Canadian Bill of Rights suggests in principle protection from discrimination, and freedoms to co-exist in Canada. This 1960 legislation was a signal from the Government of Canada of its recognition of diversity tensions in the Canadian state. The Bill of Rights state in part:

It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely,

- (a) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;
- (b) the right of the individual to equality before the law and the protection of the law;
- (c) freedom of religion;
- (d) freedom of speech;
- (e) freedom of assembly and association; and
- (f) freedom of the press (Canada, Bill c44).

In 1960 few racialized persons could be said to be free from discrimination in Canada. Canada entered confederation in 1867 as a nation born out of British and French imperialism. While diversity was always a demographic reality our colonial heritage fostered relations built on ethno-racial stratification with British white heritage assuming dominance over all others. Historical competition ensued between the French and British who both claimed the privilege of being the 'founding races' in spite of the prior existence of the First Nations of Canada. The British ultimately won this struggle for political dominance but ceded some freedoms through the Quebec Act 1774 which partially legitimated French culture

by permitting freedoms to retain and speak French language and to practice their Roman Catholicism faith in the province of Quebec (British Canada 1774). The two cultures co-existed with uneasiness and we note that in the new millennium this uneasy co-existence of diverse cultural groups is still framed by political relations which espouse equality in law.

Concessions made through the 1774 Quebec Act never translated into equality status for French speaking Canadians. In the 1960s the French speaking province of Quebec entered into a period historically documented as the period of the 'quiet revolution' as they intensified their struggle for equality in the affairs of Canada and also for cultural uniqueness. By 1963 escalating tensions between French and English Canadians necessitated state intervention. The federal liberal government established the Royal Commission on Bilingualism and Biculturalism (RCBB). Laing (1970) suggests that:

The 1963 Royal Commission on Bilingualism and Biculturalism had 3 main areas of inquiry: the extent of bilingualism in the federal administration, the role of public and private organizations in promoting better cultural relations and the opportunities for Canadians to become bilingual in English and French. The Commissioners were instructed . . . "to inquire into and report upon the existing state of bilingualism and biculturalism in Canada and to recommend what steps should be taken to develop the Canadian Confederation on the basis of an equal partnership between the two founding races, taking into account the contribution made by the other ethnic groups to the cultural enrichment of Canada and the measures that should be taken to safeguard that contribution". (Laing, G. 1970: cited in encarta).

The RCBB was transparent and accessible. Views from across Canada were incorporated into the final report tabled between 1967 and 1970 in the form of six books. Evident in the mandate of the RCBB is the privileging of the French and English cultures as equal partners and the subordination of other ethno-racial or

ethno-cultural groups to secondary considerations. Diversity challenges escalated with speed.

The First Nations peoples of Canada rejected the focus on English and French and asserted that they would not settle for being a forgotten people in their own land (Monture: CBC Radio Archives). And although minority issues were part of the mandate of the RCBB, non-British ethnic groups rejected the urgent emphasis on British and French with others listed as secondary considerations (McRoberts 2007).

The federal government would later take further steps to entrench language and cultural protection for French speaking Canadians regardless of their provincial domicile. The **Official Languages Act, 1969** was the start of a series of state interventions to redistribute privileges to those who were not British in origin and in culture. No substantive or similar action was taken to acknowledge the prior claims of the First Nations peoples as owners of the land, resources and extant preeminent culture.

The RCBB is important for its historical precedence in nation building in the context of diversity. Canada's earliest policy intention aimed at pacifying tensions arising from unequal co-existence would become a frequent recourse with results reflecting the ambivalence of the state's direction. The RCBB is also a political

landmark because it served as the impetus in bringing cultural diversity into open political considerations.

At the very least the Royal Commissioners were forced to protect their credibility by acknowledging Canada's racial and cultural population diversity. Book IV of the report was titled '*the Cultural Contribution of other Ethnic Groups*'. However the acknowledgement of political heterogeneity is not synonymous with the legitimization of cultural pluralism. While the Royal Commission agreed that a number of races and cultures were co-existing in Canada, there was no political entrenchment of Canada's official identity as either multicultural or culturally diverse at that time.

Canadian identity would thereafter assume a dual and stratified character with British and French as adversaries for primacy, and others, thereafter stratified in layers reflecting influence, social desirability and dominant-group sameness.<sup>i</sup> The way ahead chosen by Canada was to retain political and economic influence for the dominant groups while subordinating all others to layers of privilege. The first official step in this new direction in nation building occurred in 1971, when the federal government officially endorsed the multiculturalism policy through an address to the nation from the House of Commons <sup>ii</sup>.

Canada announced its policy of multiculturalism within a bilingual framework in 1971 following the recommendations of the Royal Commission on Bilingualism and Biculturalism of 1969<sup>iii</sup>. This political compromise would acknowledge two

primary groups while concurrently laying the potential groundwork for the structural recognition of all other groups. The challenge which sprung from this policy direction would be related to the proposed process of activating structural inclusion.

More than a decade later and much too late to be taken seriously, the federal government further enshrined the multiculturalism intent by transforming the 1971 Multiculturalism Statement, unaltered, into the *Multiculturalism Act, 1988*. When assessed cumulatively the 1969 RCBB recommendations, the 1971 multiculturalism policy statement and the subsequent 1988 Multiculturalism Act were acknowledgements of public policy challenges in diversity nation-management.

The actualization of a multiculturalism policy was an attempt to minimize what were potential social impediments to political stabilization. However, nullifying these attempts to acknowledge Canada's diverse cultural, linguistic and ethno-racial groups was the steadfast affirmation that only two groups, the British and the French, were "founding nations"<sup>iv</sup> and therefore dominant, and other groups were to be entertained and made to feel welcome in Canada. That policy structure obviated all historical claims by the First Nations of Canada.

Therefore, the policy direction as stated implied that multiculturalism was a political process akin to a national garden party, regionally administered by the

dominant host groups, and comprising a selective and ideologically-driven redistribution of privileges to selected others. The position of dominance of the White founding groups was thus stabilized by this process, and the multiculturalism enterprise thereafter enshrined inequality.

## **The Canadian Multiculturalism Statement 1971**

### Highlights of the Multiculturalism Statement:

3.(1) It is hereby declared to be the policy of the Government of Canada to:

(a) recognize and promote the understanding that multiculturalism reflects the cultural and racial diversity of Canadian society and acknowledges the freedom of all members of Canadian society to preserve, enhance and share their cultural heritage;

(b) recognize and promote the understanding that multiculturalism is a fundamental characteristic of the Canadian heritage and identity and that it provides an invaluable resource in the shaping of Canada's future;

(c) promote the full and equitable participation of individuals and communities of all origins in the continuing evolution and shaping of all aspects of Canadian society and assist them in the elimination of any barrier to such participation;

(d) recognize the existence of communities whose members share a common origin and their historic contribution to Canadian society, and enhance their development;

(e) ensure that all individuals receive equal treatment and equal protection under the law, while respecting and valuing their diversity;

(f) encourage and assist the social, cultural, economic and political institutions of Canada to be both respectful and inclusive of Canada's multicultural character;

(g) promote the understanding and creativity that arise from the interaction between individuals and communities of different origins;

(h) foster the recognition and appreciation of the diverse cultures of Canadian society and promote the reflection and the evolving expressions of those cultures;

(i) preserve and enhance the use of languages other than English and French, while strengthening the status and use of the official languages of Canada; and

(j) advance multiculturalism throughout Canada in harmony with the national commitment to the official languages of Canada.<sup>v</sup>

Highlights of the 1971 *Multiculturalism Policy* which are repeated in the 1988 *Multiculturalism Act* fall into three areas. **The first** deals with the political and cultural definition of "multiculturalism". The legislation affirms multiculturalism as the institutionalized acceptance of a Canadian society of diverse races and cultures. **The second** area addresses the intent of institutional inclusion by a process of acceptance of diversity. The objectives stated include the promotion of harmonious coexistence of the various racial and cultural groups, and the promotion of the heritage of these groups with emphasis on coexistence and celebration of cultural differences. **The third** area applies to the application of institutional inclusion. The legislation states that members of the racial and cultural groups are to be treated equally under the laws, and are entitled to access dominant Canadian institutions<sup>vi</sup>. The Multiculturalism Policy and Act reflected the spirit of the Canadian Bill of Rights by endorsing equality under the law notwithstanding ethno-cultural affiliation.

Two aims of the policy form the basis of this critique of state action in managing diversity: **to foster tolerance** for cultural diversity; and, to **facilitate the inclusion** of ethnic minorities in the political, social and economic institutions of Canada<sup>vii</sup>. These two aims are at once the most generous and the most limiting in Canada's challenge during the political function of state maintenance of a diverse nation. These aims further highlight the distinction between structural and

cultural integration. The latter seeks to enhance cultural heritage continuity through dominant group tolerance and the former speaks to institutional inclusion. Notably, however, the institutions into which minorities should be permitted access are owned and controlled by the dominant groups.

Emphasis on cultural coexistence was inadequate for addressing the history of the constructed 'race' question and dynamics in Canada<sup>viii</sup>. However, there is such potential in (c) (e) and (f) of the stated Multiculturalism objectives. But while these were necessary as a starting point, they are insufficient for redressing and restructuring relations which were historically and endemically oppressive for many cultural groups. Inclusion remains contestable.

### ***The Canadian Human Rights Act 1977:***

The Canadian Human Rights Act, 1977 (CHRA) serves as the enforcer of the Multiculturalism Act. Victims take their case before a tribunal of the CHRA and a case is heard and if appropriate, redress is ordered. Bureaucrats determine if cases have merit and should be heard.

3. (1) For all purposes of this Act, the prohibited grounds of discrimination are race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and conviction for which a pardon has been granted.

A discriminatory practice, as described in sections 5 to 14.1, may be the subject of a complaint under Part III and anyone found to be engaging or to have engaged in a discriminatory practice may be made subject to an order as provided in sections 53 and 54.

The CHRA is structured as a system of redress which presupposes that victims will have the knowledge, means and motivation to pursue justice for their perception of being wronged. The concept of 'victimization' seems not well understood in legislation which depends on the actions of a victim to navigate

bureaucratic procedures. On the other hand, the CHRA validates individual rights and identity by giving citizens access to a system which **might** affirm their citizenship entitlements as enshrined in law (Canada, 2000: 25-41).

The trouble with individual rights legislation is that it presupposes too much. Canada is a nation with a labour force continually renewed by newcomer members, where most discriminatory grievances originate in the paid labour force (Canada 2000) and in which Canadians have been enumerated to belong to more than 100 language groups (Canada 2006). The diversity of Canada which is reaffirmed in the Canadian Constitution remains a compelling challenge in policy development and application.

The Human Rights redress process nullifies the human factor inherent in the adaptation journey of newcomer groups. For many newcomers, deviation from the upward climb to dwell on obstacles or challenges might be akin to failures. Most newcomers are likely more concerned with being portrayed as 'good Canadians' and successful workers embodying impeccable work ethic while demonstrating gratitude for their presence in their adopted homeland. A policy framework which implicitly acknowledges the possibility of instances of unjust treatment and infringements of rights and is articulated through a victim-driven redress process is largely symbolic protection (Zackin, 2007).

***The Constitution Act, 1982:  
Equality Rights***

15 (1) Every individual is equal before the and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability

15 (2) Subsection (1) 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.(5)

The Constitution Act, 1982

The Constitution of Canada showcases all other documents which include references to the cultural diversity of the nation. In the final analysis, the law in Canada is that irrespective of cultural background or affiliation, all are equal under the law - - in principle. The First Nations of Canada received special mention in the Multiculturalism Act, The Canadian Human Rights Act, the Canadian Bill of Rights and the Constitution Act, 1982. The reality is that the settler group now controls the destiny of the First Peoples of the land.

### ***Diversity in Canada: Asset or Liability?***

The dual aims of the Multiculturalism Act constructed a misleading dependency between structural inclusion and cultural heterogeneity. Structural inclusion is only possible through the eradication of the dominant/subordinate social arrangement accompanied by the elimination of dominant group ethnocentrism. Only a tolerant dominant group would be prepared to grant institutional access and equality to non-dominant group members. With due regard to the inherent social antagonisms in the struggle of accessing citizenship the federal government earmarked for itself a mediation role by stating that the structural inclusion of racial and cultural minorities was not to be left to chance (Trudeau,

1971 address to House). The CHRA which followed was the instrument which would serve as the post-crisis audit of discriminatory infractions.

Canadian historical social problems were in fact severe and could not easily be addressed by legislation which extended citizenship privileges to cultural groups stratified as subordinates to the British and French. The concept of founding groups forever dislocated other Canadians and validated a cultural hierarchy. Throughout the implementation phase of the multiculturalism policy a tension has existed between the dual goals of cultural heritage continuity and institutional inclusion. This has not changed under the newer Multiculturalism Act 1988.

The most celebrated and supported aspect of the multiculturalism process came to be seen as "cultural reification". Between 1971 and 2005 state-funded initiatives which promoted multiculturalism never quite progressed beyond the celebration of culture, and consequently the more structural aims of the policy were overshadowed by government-supported initiatives which focussed on recreational ethnicity. During those same years racism was identified as the most urgent and challenging social issue in Canadian social relations<sup>ix</sup>.

The preoccupation during the first 25 years of the multiculturalism policy with regulating ethnic and cultural privilege of expression was structurally short-sighted. Permissible recreational ethnicity lacks the force of an instrument which must distribute the political good of power with a view to social transformation.

Social relations in multicultural Canada have thus remained multi-layered. Whites monitor and ration resources to non-whites and other marginalized groups who want to make statements of cultural affiliation. Within such a system rights are essentially situational.<sup>x</sup> Diversity in Canada is an economic asset for the nation and potentially a looming political liability.

What has been encouraging is that the state bureaucracy has learned to listen to members of Canadian society through various mechanisms. Consultations and ongoing research have added substance to legal documents which have been revised and updated to attend to gaps and irritants. In 2005 the Government of Canada through a multi-departmental collaboration released the report *A Canada for All: Canada's Action Plan against Racism: (Canada 2006)*. With the release and action plans outlined in this report Canada moved light years ahead towards a plan for addressing the most debilitating oppression for many citizens - - racism.

### *Racism, Diversity and Canadianism*

When Canada embarked upon a new wave of post-war immigration it was with the full knowledge that racial intolerance was a dominant feature of Canadian public and social philosophy. A 1946 migration survey aimed at gauging public response to the imminent movement of war-displaced refugees to Canada was telling. More than 60% of Canadians admitted their opposition to non-white and non-British immigration<sup>xi</sup>. The degree of intolerance was related to the degree of

racial differences. Non-white groups were disproportionately unwelcomed<sup>xii</sup>. In the twenty-first century not much has changed (Li: 2003). In order to understand conceptions of diversity an understanding of Canadian racism is essential.

The struggles over cultural inclusion have been dwarfed by the struggle against racism. Visible minorities are most singled out for racist oppression. In addition, First Nations populations have an historical and unique struggle which has not been softened by any of the instruments of law discussed above. The First Nations struggle is for control of their national heritage through self government; the recognition of language rights, control and ownership of some of their land and the right to co-exist among other Canadians as equals in society. While analysis of their social challenges is very much part of the discourse on racism, the considerations are so unique that issue separation is warranted in order to respect the severity of the First Peoples' dilemma.

The prior existence of, and white domination of Aboriginal peoples in Canada is an established fact. Anderson (2000), for example, traces the appropriation and dismantling of Aboriginal culture and social institutions in her examination of Aboriginal women. Others (Assembly of First Nations (2006/07) Union of B.C. Indian Chiefs: 2005; Monture-Angus, 1999; Miller & Chuchryk, 1996) show through various disciplinary analyses that the claims of the First Nations peoples have been resisted by Canada with detriment accruing to First Nations peoples. For example, the period of colonization has had lasting impact on Aboriginal

family life, cultural practices and social location in Canadian society. First Nations populations in Canada are statistically over-represented in categories of economic deprivation (NAHO. FNC 2006; Health Canada: 2008). Their deprivation has been variously theorized as deriving from imperial greed common throughout the brutal period of 'hemispheric invasion' (Churchill 1995), and from the colonization period noted for capital accumulation through dispossession (Gordon 2006).

When Blacks began arriving in Canada in the 1700s from America most had been enslaved; slavery continued in Canada for nearly a century. However, many Blacks also entered Canada from the United States as runaway slaves to find freedom (Mensah 2002; Bristow 1994). But while they were given sanctuary from US slavery by the British they were not admitted as free and equal citizens. Not surprisingly, and by a curious irony of history, the very nation that gave quasi-sanctuary to fleeing Black slaves from America would later reject them as potential immigrants. The US/Canadian situation is perhaps the most instructive.

While Canada sought to maintain good relations with Americans and relative freedom in border crossings for citizens of the respective nations, the situation of Blacks presented policy makers with a challenge. During the period of US/Canadian reciprocity, immigration policy excluded Blacks originating from areas of the world outside of the United States. So, being compelled to include Blacks from the US into Canada was an irritant for Canadian immigration

bureaucrats and it was only a matter of time before disincentives were applied for those (Blacks) who later attempted to enter Canada from the United States.

. . .The immigration of coloured people, for example from the West Indies, is controlled by P.C. 695. . . This order was designed to shut off immigration from other parts of the Empire from which immigrants might come who are not wanted. . . there is an anomaly in our regulations in that they allow a coloured United States citizen to enter Canada. . .when a coloured West Indian could not. . .There is an unwritten chapter in connection with settlement in the Prairies which is probably unknown to other than myself. . . It relates to an organized effort that begun in Oklahoma to move half-breeds (Negroes-Indians) into the West as homesteaders. I am not proud of the method by which this was stopped but at least it was effective and probably future generations will not blame those who planned and carried the scheme into effect. . . .xiii

Economics would later change that stance. Canada would become increasingly dependent on foreign born labour to shore up its ravenous but infertile labour market. Finally, though, the traditional and preferred labour pools of Europe would be depleted of surplus but exportable working-age bodies. So, the economic imperative would bring about a softened immigration stance through changes to the exclusionary wording in immigration policies finally allowing non-American Blacks into Canada more freely during the 1960s.

Black immigration to Canada peaked in the 1960s and 1970s. Canadian history generally shows a pecking order of preference and privilege of citizens by their length of residence (Reitz 2005). Newcomers, with the exception of the English and some French appear to endure a period of discrimination characterized by stereotypes, social marginalization and lower occupational positions. But there

are differences over time for some groups. Blacks, South Asians and First Nations peoples have been historically denied equality and parity in Canadian society regardless of their term of residence. For these three groups, place of birth is unimportant. In addition to the case of the First Nations Peoples, those Asians and Blacks born in Canada and those who immigrated to Canada share undifferentiated labour outcomes in the Canadian labour market. They are undesirable because of their skin colour and not because they may be newcomers to Canada. Labour and social marginalization persists for visible minorities because white ethnocentrism is a formidable institution with the reserve to de-rank persons of colour regardless of their origin or other attributes.

The presence of Blacks in Canada then would be historically shaped by this ambivalence infused with suspicion and hostility. Prior to the limited protections granted by policies and statutes discussed above Blacks attempting to situate themselves in paid work or neighbourhoods were subjected to the same ambivalence shrouded in hostility and rejection. As potential neighbours they were undesirable and thought to be inferior (Galabuzi:125-141) and as workers, they probably represented a threat to the imperative of shared status and privilege. On the latter though, it has been shown that Blacks still occupy lower than average positions in paid labour even when they are better educated (Canada: 2004).

In the 1850s Asians arrived from China via San Francisco to join in the gold rush in British Columbia. By 1860 it was estimated that 7000 Chinese were resident in BC. During the 1870s and 1880s the Chinese, considered to be a dispensable labour entity, were required as labour during the dangerous work of the building of the Canadian Pacific Railway. More than 15, 000 Chinese labourers were brought to Canada for this work for which they were paid less than 50% of the wages of Whites (Galabuzi 2006; CCR: 2000), and during which many died. While the Chinese were essential as labour, they remained unwelcome in Canada until the mid 1900s. Canadian law was effective in singling out the Chinese for racist immigration and domestic policies. The Chinese Head Tax 1885, and, the (Chinese) Immigration Exclusion Act 1923 to 1947 were early Canadian expressions of xenophobia and are instructive examples of how Canada utilized its legal framework to entrench institutional racism.

Chinese and other Asian settlement in eastern Canada was so contentious during the turn of the century that in 1902 a Royal Commission on Chinese and Japanese immigration, was struck, and later concluded that ' . . . Asians were unfit for full citizenship. . . . obnoxious to a free community and dangerous to the state. . . .' (Anderson 1994; Wickberg 1982; Ward 1978; Chan 1983). In addition, a long list of social exclusions accompanied laws which controlled the Chinese Canadian population: Chinese men were prohibited from marrying White Canadian women, White Canadian women were prohibited from working for

Chinese merchants, the Chinese could not move or travel freely and of course could not vote until 1947 (CBC archives)

Several other groups endured harsh and exclusionary treatment during their first years in Canada. Many Eastern and Southern Europeans were most unwelcomed in Canada until the 1950s (Daenzer 1994). Jews were turned away when they attempted to enter Canada seeking refuge from Nazi concentration camps, and South Asians were also turned away at the port of entry. Japanese and others were interned during the second world war; the Irish were initially subjected to much hostility (CCR: 2000) and Eastern Europeans who were brought to Canada as 'displaced persons' following the devastation of the second world war faced durations of hostility and exclusions (Daenzer 1994).

The (Chinese) Immigration Exclusion Act was repealed in 1952, and Asian Immigration has steadily increased as shown in recent Census records [1945-1950 (1%) and 1986-1996 (more than 60%)] from all Asian regions (Statistics (Canada 2006, 2002). During these same periods immigration increased incrementally from Africa and South America. By the 1970s Canada had developed fully, in principle, into a nation of diverse peoples and needed to take the next step in nation building. The multiculturalism policy statement, 1971, and later Multiculturalism Act of 1988 were attempts to do so. The spirit of the policy statement was well intentioned. However, smoothing out the wrinkles of the multiculturalism ideal and process is a work in progress.

Canadian institutions have constructed a system of racial/ethnic segmentation, or a hierarchy of preferences for the racial and cultural groups. Those ethnic and cultural groups who are virtually undifferentiated in appearance from the dominant white group are most preferred. Others have been classified into more and least desirable groups. In this schema Blacks, South Asians and First Nations peoples are singled out as least desirable.<sup>xiv</sup> Consequently, institutions may select employees from the range of ethnicities, or even from the visible minority groups and still exclude those most racially visible such as Blacks and Aboriginals. Diversity in this scenario assumes a complicated context.

Canada's documents which distribute equality in law are in tension with the lived experiences of segments of the Canadian population. Statistics Canada acting as the monitor of social outcomes tells us that inequality by ethno-racial specificity continues as a reality for many (Ethnic Diversity Survey 2006; Reitz 2005). Racialized groups who are visibly different in characteristics, are less privileged in the labour force and in access to mainstream institutions. They are denied access to the privileges articulated in the documents discussed above.

What then are the benefits of declarations of diversity in Canada? This question assumes urgency because Canada accepts more than 7,000 government assisted refugees annually, and they are mostly visible minorities. In addition, the Canadian labour market requires regeneration and stability through immigrant labour with plans to increase immigration to 300,000 annually in the near future.

The Canadian dependency on immigrant labour coupled with the ongoing influx of refugees and others seeking new lives suggests greater urgency to the 'diversity agenda'. What is required is a renegotiated meaning of cultural pluralism within a context of shared equality.

### **Conclusion:**

Canadian history generally shows a pecking order of preference and privilege of citizens by their length of residence (Reitz 2005). Newcomers, with the exception of the English and some French appear to endure a period of discrimination characterized by stereotypes, social marginalization and lower occupational positions. But there are differences over time for some groups. Blacks, South Asians and First Nations peoples have been historically denied equality and parity in Canadian society regardless of their term of residence. For these three groups, place of birth is unimportant. Those Asians and Blacks born in Canada and those who immigrated to Canada share undifferentiated labour outcomes in the Canadian labour market. They are undesirable because of their skin colour and not because they may be newcomers to Canada. The First Nations peoples inherited racist brutality with the arrival of the settler groups and this racism persists to the present day. Some members of Canada's dominant group seemingly reserve the right to de-rank persons of colour. The enduring causality is the imagined preeminent status of privilege claimed by whites regardless of their domiciliary legitimacy.

So, instruments such as the Multiculturalism Act and the Human Rights Act are absurdities in the life of people of colour, especially those born in Canada. The First Nations peoples are not a cultural group, they are the only original and authentic Canadians. What is required to protect their inherent rights is not a law which grants the privilege to showcase cultural identity; they instead deserve to have laws which entrench and prioritize their claim to language rights in their own land. The Constitution of Canada does not afford them this right.

Since Canada must continue to nation-build by accepting greater numbers of racial minority immigrants, the first right of entitlement for all Canadians must be the right to be equal in status notwithstanding race or ethnicity. Diversity must mean differences in appearance, gender and cultural origin but these differences must be legitimated by substantive legal equality. The rights of one group should not be subject to the political or social discretions of another. This new emphasis on rights requires political commitment and a discontinuation of the stratified entitlements between founding races and others.

## **Endnotes**

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i. For example, in the post-war period when the Canadian state was contemplating admitting war-displaced Europeans to Canada public surveys conducted for the government showed high levels of intolerance expressed in forms of "desire to exclude from Canada by racial origin". Due to recent events of

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the war, Japanese were found to be the least desired. However, Jews, Germans and Russians followed closely in undesirability.

Public Archives of Canada document RG2 Vol. 83 1-50-P. 1946-47 Immigration: Immigration Policy Papers. A survey of the Press by Canadian Information Services published November 4th, 1946.

Also, same source: A public opinion survey taken by the Canadian Institute of Public Opinion.

ii. Canada's then Prime Minister The Hon. Pierre Elliott Trudeau addressed the House of Commons on the Multicultural Policy direction and his comments included the following:

" . . .For although there are two official languages, there is no official culture. Nor does any cultural group take precedence over another. . .But this cannot be left to chance. . . . It is the policy of this government to eliminate any such danger and to safeguard this freedom" in:

Elliott, Jean Leonard and Augie Fleras(1992) *Unequal Relations: An introduction to race and ethnic dynamics in Canada*. Scarborough: Prentice Hall Canada, Inc..

iii. *The Royal Commission on Biculturalism and Multiculturalism* was initially mandated to explore the French/English issue. Other cultural and ethnic groups rallied to be included in the federal considerations, and the ultimate recommendations included reference to institutional measures which would facilitate racial minorities to benefit fully from Canadian institutional life.

iv. The term 'founding nations' is used with caution and requires deconstruction. The British and French in Canada have self-styled themselves nations who discovered and developed Canada. Such a proposition ignores the prior presence of the Aboriginal nations and negates them as a people with a cultural and political legacy.

v. Canada, Statutes of the Government of (1988) 35-36-37 Elizabeth 11: Chapter 31: An Act for the preservation and enhancement of multiculturalism in Canada. Assented to on 21st July, 1988. Ottawa: The Queens Printer.

vi. Canada, *Multicultural Act 1988*. Ottawa: House of Commons.

vii. *Ibid.* p.276.

viii Considering that Blacks had been enslaved in Canada and were subject to all exclusions and total domination, it required more than a policy statement to erase these

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historical relations and transform inter-group dynamics into one of equality before the law and in privileges.

ix. For example, see:

Canada, House of Commons (1984) *Equality Now: Report of the Special Committee on Visible Minorities in Canadian society*. Ottawa: Queen's Printer.

x. This means that access to rights, or "prima facie" rights depends upon who the players are. Consistent correlations demonstrate that the less dominant-group ones status and characteristics are, the less presumed rights are attributable.

<sup>xi</sup> Canada (2006) Statistics Canada Ethnic Diversity Surveys continues to show racial minorities are least integrated in economic and social institutions. This history has been consistent since measurements have existed and goes back to the 1940s. See for example Public Archives of Canada Document. RG 218 Volume 83 File 1-50-P; 1946-47. Also cited in Patricia Daenzer (1994) *Regulating Class Privilege*. A survey conducted by the Canadian Institute of Public Opinion published November 4<sup>th</sup>, 1946 showed great intolerance for non-white person

xii. Public Archives of Canada Document. RG2 #18, Vol.83 I-5-P. 1946-47. Immigration. Immigration Study Papers. A Public Opinion Survey by the Canadian Institute of Public Opinion.

Also:

RG76 Vol.149, File 5850-6-4-533. 1942 correspondence from the Director of Immigration to Hon. Mr. Crerar. This correspondence reminded the Hon. Mr. Crerar that immigration regulation existed which prohibited Blacks from entering Canada, and advised that it was in the best interest of Canada to adhere to this regulation.

xiii. Public Archives of Canada: Department of Mines and Resources: Immigration Branch. Record Group 76 5850-6-4: Memorandum: To Hon. Mr. Crerar. From: Signed, Director. Dated April 17, 1942.

xiv. There is no evidence that in 2002, change has occurred since the telling report *Who Gets the Work* by Henry and Ginzburg cited above or since Stephen Lewis made his "Dear Bob" 1992 report to Hon. Bob Rae (#14) and gave compelling examples of anti-Black racism in Toronto..

Cited also in the work of Pineo, Peter C. (1977) "The social standing of Ethnic and Racial Groupings". *Review of Sociology and Anthropology* 14:2. Pineo found Blacks to be among the least desirable group in Canada. In 2005 Reitz (see below) found similar outcomes based on Stats. Canada analysis.

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