

2008 Expert Roundtable on Canada's Experience with Pluralism

Dimensions of Diversity: Canadian Responses

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Canada is often considered a 'success story' as an ethnically and linguistically pluralist society. While not unchallenged, multiculturalism certainly remains a popular policy, with deep roots in the collective identity of Canadians. Tensions between French and English, or between Quebec nationalists and the rest of the country, are significant, but unlike in many countries with important national minorities, these have so far largely been managed through the democratic process. Aboriginal peoples still face much discrimination and many live in dire conditions, largely resulting from past government policies. But they have also gained a level of recognition and constitutional protection that many minorities around the world could only hope for. Canada is certainly not perfect, but it appears to be doing fairly well when compared with other highly diverse liberal democratic countries.

In launching the activities of the Global Centre for Pluralism, it is thus appropriate to look at Canada as an example to draw from. What explains Canada's relative success? Is there a 'Canadian model' or an approach that could be exported to countries facing similar challenges? Cultural pluralism is both complex and located in the particular history of a place. As such, there may not exist a specific Canadian formula that could be reproduced elsewhere, but are there lessons we can learn from the Canadian experience?

The papers by Keith Banting, Karim Karim, Barbara Arneil and Alain G. Gagnon discussed in the first panel of the workshop tackle these questions through an exploration of the foundations and various dimensions of Canadian diversity, with an attention to the policy responses they have produced. While they differ in their approaches, a number of points of convergence can be identified in the papers. In the next few pages, I review these converging elements in order to draw some lessons from the Canadian experience.

A Pragmatic Approach

A first recurring theme of the papers is the idea that there is no single coherently articulated model, or overarching framework, defining Canadian policy responses to the various challenges of cultural pluralism. The Canadian approach to diversity is very much the product of a series of pragmatic compromises made throughout the country's history. We are reminded of the importance of history, context and of past political choices in all the papers discussed in this session.

From its very early days, Canada was a deeply pluralist experiment. In this respect, it is certainly not unique. But the choices made in facing this pluralism are perhaps unique. The choice of continuing the practice of treaty making with Aboriginal nations, the protection of French civil law and Catholic rights in the aftermath of the English conquest, and the creation of a federal rather than a unitary country when time came to consolidate the remaining British colonies in North America are all choices that led to an understanding of Canada not as an ethnically and culturally uniform nation, but as an association of diverse groups. In many ways, these choices were made not out of generosity, but out of necessity. They each constitute pragmatic compromises in the face of competing interests and a relatively 'weak' majority, unable to fully impose its will.

Pragmatic as they are, these early compromises have nonetheless shaped Canadian perspectives on pluralism. As Karim Karim argues, past policy choices largely explain the general support for newer forms of diversity recognition in contemporary Canada, such as multiculturalism. Cultural diversity was already part of the Canadian imaginary well before the formal adoption of multiculturalism and was thus not perceived as a threat to the majority at the time. The federal reality of Canada also shaped many aspects of our pluralist architecture, from the de facto acceptance of Quebec as a distinct 'nation within' to the development of a complex and multilevel language policy framework, as Alain G. Gagnon points out.

Canadian responses to diversity are thus historically located, contextual and, more importantly, case specific. Each form of diversity has generated its own policy framework, which obeys its own logic and is embedded in a distinct institutional framework. Alain G. Gagnon insists, for example, on the very specific context that led to the adoption of personal rather than territorial bilingualism, and the reaction it produced in Quebec and elsewhere in the country. Karim Karim also reminds us that despite its political ties to bilingualism, multiculturalism was designed to address the reality of immigrant minorities and operates under a different institutional framework than the recognition of francophone linguistic rights or Aboriginal rights.

Kymlicka talks of a three-pronged approach in Canadian responses to diversity, based on three different types of diversities: multiculturalism to accommodate immigrant communities; bilingualism and federalism for the French minority and Quebec; and self-government and ancestral rights for Aboriginal peoples. We used elsewhere the concept of

‘repertoire’ to translate the diversity of responses generated by the various forms of pluralism in Canada.¹

It is also important to point out that not all forms of diversity are on equal footing in the Canadian repertoire. Beyond the three pillars described by Kymlicka, there are other forms of diversity that could benefit from greater recognition. Barbara Arniel points to queer culture as an example. Who is recognized and under what conditions is, again, a political matter that is likely to change over time.

Common basis

If the operating logic and institutional foundations of the Canadian repertoire are diverse, there are nonetheless common elements to the various policy responses discussed in the papers. A first recurring element is the idea that pluralism is, in and of itself, a good thing. More than the content of the policy itself, it is the ‘public ethos’ favorable to pluralism that explains the success of multiculturalism in Canada, according to Karim Karim. Barbara Arneil also speaks of the recognition of various forms of diversities as a pillar of Canadian democracy. A similar point is made by Yasemeen Abu-Laban in her paper for the roundtable.

The idea of accepting pluralism as a positive value rather than a weakness or a ‘problem’ to be solved may be self-evident, but empirical evidences suggest it has not taken root equally everywhere. In many places around the world, pluralism is still seen as a threat to the majority culture and to the dominant conception of the nation. While there are some resistance and fears of difference in Canada, by and large cultural pluralism is accepted as a permanent feature of Canadian society, and it has become an inherent characteristic of Canadian identity and citizenship, Keith Banting argues.

Beyond the acceptance of the inherent value of pluralism, Canadian responses to diversity are also built on, and defined through, the principles and institutions of liberal democracy. Karim Karim mentions the importance of former Prime Minister Trudeau’s ‘just society’ project and of the ‘liberal creed’ of Canadian political culture for the development of multiculturalism. In her comments on the theoretical debate about multiculturalism, Barbara Arneil reminds us that in Canada, differentiated cultural rights are not conceived as ‘exceptions’ or ‘deviations’ from the principle of citizen equality, but as an integral part of a more substantive and culturally sensitive conception of equality.

The fact that multiculturalism, Aboriginal rights and linguistic minority rights are acknowledged as an integral part of the Canadian Charter of Rights and Freedom underlines the liberal foundation of these policies. Liberal democratic institutions thus play a central role in fostering, promoting and protecting pluralism, while at the same time providing a shared space of citizenship.

Institutions simultaneously foster pluralism and shared citizenship

Many fear the institutional recognition of cultural diversity could foster fragmentation and further entrench the divisions between the majority and minorities. In the Canadian context, the recognition and valorization of diversity cannot be dissociated from a constant preoccupation with cohesion, national unity and shared citizenship. In fact, as Keith Banting suggests in his paper, the very objective of multiculturalism and other forms of recognition of cultural diversity is to foster social integration by adapting the institutions of the majority to the specific reality of minorities.

There is nonetheless a constant tension between unity and diversity, between integration and differentiation, and the capacity to strike a right balance is an important aspect of Canadian responses to pluralism. Central to this balancing act are the conditions of membership in the political community.

According to Keith Banting, there are two general models in this respect. Historically, most countries have sought to promote a common culture, a common language and a shared set of values in order to foster cohesion, thus promoting a ‘thick’ conception of citizenship and national identity. The second approach focuses instead on access to citizenship rights and the participation of all to the democratic and socio-economic life of the community as unifying bonds. In this model, cohesion does not imply a shared culture and values, but instead a shared commitment to a common public space and to the resolution of conflicts through democratic institutions.

This civic or participatory model has a much thinner conception of citizenship in which social integration is procedural rather than substantial. To use Keith Banting’s words, the central question in the civic model is “How can we live together?” rather than “Who is us?”

In many ways, Canada has used both approaches. Immigrants are expected to learn French or English and demonstrate a basic knowledge of Canadian history, cultural institutions, etc. There have also been pressures for the assimilation of Aboriginal peoples and francophones in the past. But by and large, Canadian citizenship is much closer to the participatory model. This is again more of a reflection of our social, cultural and geographic reality than a principled choice. The inherent diversity of the country, its regional specificities and histories mean a substantive definition of a common cultural identity is almost impossible to achieve.

A substantive conception of citizenship as a shared culture is indeed problematic in a multinational country like Canada, where Aboriginal peoples and Quebecois have their own national identities that mediate their sense of belonging to the Canadian ensemble. Throughout our history, whenever the federal government has attempted to promote a more substantive conception of Canadian identity, the result has been a rise in minority nationalism and a withdrawal from shared institutions. Banting warns us against the temptation of the majority, often raised in political debates in Canada, of promoting a more

substantive version of citizenship, through the assertion of a stronger national identity or through the definition of shared values beyond those of liberal democracy. Trying to define ‘who is us’ leads to the creation of boundaries – and some will necessarily be excluded.

Canada has been far more successful at developing a thinner, more procedural, but nonetheless strong version of shared citizenship. It is through institutions such as the court system, Parliament and federalism that minorities make their claims, struggle for greater recognition and participate in shared citizenship. While they are controlled by the majority, these institutions have a relatively high level of legitimacy amongst minorities precisely because they provide significant access points to the political debate for minorities seeking greater recognition and voice. A number of authors have also insisted on the centrality of the welfare state and social citizenship as a binding mechanism through which Canadians have developed a sense of solidarity that transcends cultural differences without suppressing them.

Another recurring theme is the prominent role of federalism as both an institution fostering unity and producing diversity. Federalism allows otherwise distinct political units to come together and put in common their shared interests while at the same time retaining a certain degree of autonomy. Francophones are both a minority in Canada at large and a majority in Quebec, which provides them with considerable leeway in establishing their own priorities while at the same time participating in the Canadian ensemble. Federalism, however, has a flip side as, Keith Banting points out. It tends to reproduce and reinforce regional identities and make it particularly difficult to establish a coherent definition of pan-Canadian citizenship. Again, the overlapping and somewhat contradictory linguistic regimes established at the federal and provincial levels discussed by Alain G. Gagnon provide a stark example of the asymmetrical and multilevel nature of citizenship in a pluralist federation.

Managing tensions over recognition

This last comment on the overlapping linguistic regimes resulting from the federal nature of the country raises another significant point expressed by a number of authors throughout the papers. In a deeply pluralist society, conflicts are unavoidable. Instead of suppressing tensions, the Canadian experience shows that it is better to accept conflict as part of the political reality of the land. That doesn’t mean the state bears no responsibility in managing such conflicts, but its role is again more procedural than substantial in providing the institutional space to manage these conflicts in ways that are consistent with the basic principles of liberal democracy.

Many of the conflicts in a diverse society involve majority and minority groups. Tensions occur when a minority group seeks protection against the negative impact of a policy supported by the majority. Aboriginal rights protecting natural resources can be difficult to accept in non-Aboriginal communities that rely on such resources, for example. Complex

tensions also arise when the promotion and protection of a form of pluralism affects other minority groups or conflicts with the identity and interests of overlapping groups.

Barbara Arneil uses the tension between multicultural rights and gender equality, a fundamental principle of liberal democracy in Canada, as an example of such conflicts. The encounter of gender equality and cultural difference has resulted in a number of heated debates in Canada as elsewhere. The creation of faith-based tribunals to resolve family disputes and establish the rules for the dissolution of marriages has produced some waves, for example, especially in cases where religious and secular norms appear to conflict in respect to the status of women.

As Arneil reminds us, these conflicts are real and should not be dismissed. But it would also be a mistake to create a hierarchy of rights under which formal equality would systematically trump cultural differences. The danger in this respect is to essentialize minority cultures and reduce their demands to the promotion of anti-liberal practices, thus alienating population groups instead of promoting their social integration.

Identities are alive, changing and competing. So are cultures. As for all forms of conflicts, there is generally room for compromise and adaptation in order to minimize the tension between two sets of rights or interests. Finding this compromise requires, again, a pragmatic and contextual approach, a fair process and an open dialogue.

The courts are the most obvious channel through which conflicts between competing sets of rights are mediated, but it is not the sole medium possible. Controversies over practices of reasonable accommodations for religious minorities in Quebec recently gave rise to heated debates and the creation of a public commission that held hearings across the province to discuss conflicting issues between majority and minorities, and between the principles of equality, secularism and cultural pluralism. Whether the commission succeeds in reducing tensions over the accommodation of minorities remains to be seen, but it is still a unique example of an attempt by a government to engage citizens of all persuasions in these difficult debates.

Successes and failures

The Canadian approach to pluralism is multilayered and context-specific. But the various policy responses to the demands of minorities have not been equally successful. Karim Karim considers the Canadian multiculturalism policy a success, at least as a welcoming symbol of inclusion for immigrants from diverse backgrounds. The success of the policy rests in part on its institutional foundations in the constitution and in law, but for Karim Karim, it “would have certainly failed if non-governmental actors had not responded to the structures formulated by government.” Actors of civil society, and not only governments, play a central role in shaping a policy like multiculturalism.

If support for multiculturalism remains strong in Canada, Karim Karim and Keith Banting both point to some of its failures. Visible minorities from first, second and even third generations are doing much worse socio-economically than other Canadians, for instance. Racial discrimination may well have something to do with the differences in income, labour market integration, participation in civic networks or political activities and other indicators of social integration. As Barabra Arniel points out, multiculturalism has also been less successful in addressing issues of religious diversity, which have only recently become more significant in Canada.

Language policies are also both a success and a failure. While French is now firmly established as the common public language in Quebec, francophone minorities outside of Quebec are slowly declining with new generations. As Alain G. Gagnon suggests, the pan-Canadian model of bilingualism promoted by the federal government did improve the availability of services and access to civil service employment for francophones, but it did not reduce the pace of the decline outside Quebec.

The evaluation of Canada's success in relation to Quebec nationalism largely depends on the perspective adopted. The country is still together after two referenda and so far, the debate has remained within the democratic realm. This is largely thanks to the fact that the legitimacy of the nationalist movement was largely accepted amongst Canadian political elites despite the potential risk it created for the stability of the country. Again, inclusive institutions are critical here. The idea that Quebec forms a nation within Canada has also slowly made its way into the Canadian consciousness and was symbolically recognized by the House of Commons in 2007. That being said, no Quebec government, no matter their allegiance, has endorsed the 1982 Constitution. The limited legitimacy of one of our fundamental constitutional documents in Quebec is certainly problematic from a democratic standpoint.

All agreed at the workshop that the most significant failure of Canada in response to cultural pluralism continues to be the situation of Aboriginal peoples. The living conditions of Aboriginal peoples in Canada are, in many communities and particularly in remote northern regions, comparable to that of a third world country. Despite the recognition of Aboriginal rights in the 1982 Constitution, many communities are involved in longstanding disputes with governments over land rights and treaties. Some progress has been made in recent years with regards to self-government but the institutions of the *Indian Act*, which places First Nations under the direct authority of the federal government, remain in effect.

As is often the case in discussions over pluralism and diversity in Canada, the situation of Aboriginal peoples is mentioned only in passing by the authors of the discussion papers. This is rather puzzling given the prominence of the issue in many parts of the country. Moreover, a number of countries around the world face similar challenges with indigenous populations and there is much to learn from the few successes and many failures of Canadian policies in this area.

Conclusion: can we export the Canadian approach?

What can we learn from the Canadian experience? Are there lessons to draw for other countries with similarly diverse population? The authors of the papers are somewhat skeptical about the possibility of ‘exporting’ the Canadian model. The particular history and context that has led to existing policies makes the Canadian experience unique and difficult to reproduce.

Canadian multiculturalism has inspired a number of countries to adopt similar policies in the past 30 years, but with moderate success. It appears, building on Karim Karim’s remarks, that it is less the policy itself that matters as much as its embeddedness in a broader agenda for pluralism and social justice, as well as institutions that support this agenda.

Perhaps the most important lesson to be drawn from our discussion on Canadian responses to diversity is that there is no single approach that can be adopted outside of the specificities of each case. Canadian debates and policy choices have been driven by a positive outlook on pluralism and a strong liberal democratic anchor, but they are also grounded in the history and context of each situation. Compromises and pragmatic negotiated solutions are critical to the achievement of some form of equilibrium between what are often competing views and claims.

Another important aspect of the Canadian approach is the dynamic and mutually reinforcing tension between unity and diversity, difference and cohesion. The entire pluralist architecture in Canada rests on a strong assumption that the recognition of difference will actually facilitate the participation and integration of minorities. While this equilibrium is not always easy to achieve and is the source of constant tensions, it is also a powerful idea that forms an integral part of Canada’s procedural version of citizenship. Institutions of Canadian democracy, such as the Charter of Rights and Freedom and federalism, are spaces where this equilibrium between commonalities and differences is constantly negotiated.

More than a specific toolkit of policies, it is thus a general ethos favorable to pluralism and institutional mechanisms supporting this general value that seem to be the key to the Canadian experience. As a number of participants to the roundtable have mentioned, the Canadian approach is not perfect. Many groups are left on the margin or still struggle to gain recognition. For others, defending earlier gains is a daily struggle. But these struggles are, by and large, played out through institutions that are receptive to pluralism and consolidate rather than fragment the political community.

Endnotes

¹ Jenson, Jane and Martin Papillon. 2001. *The Canadian Diversity Model: A Repertoire in Search of a Framework*, CPRN Discussion Paper F/19, Ottawa: Canadian Policy Research Networks.