GLOBAL PLURALISM MONITOR

CANADA

ABOUT THE SERIES

This report was developed using the Global Pluralism Monitor Assessment Framework. The Global Pluralism Monitor's country assessments are conducted by a team of experts on diversity issues who are either country nationals or have significant experience in the country.

The scores presented in this report should not be interpreted as part of a universal scale or ranking system that applies to all countries in the same way. Instead, scores should be understood as a context-specific indication of the country's progress toward (or away from) a pluralistic ideal. For example, a post-conflict society that still experiences violence – but comparatively less than at the height of conflict – might have a similar score to a society that has been peaceful but has recently experienced a surge in hate crimes. The Global Pluralism Monitor aims to assess countries on their own terms to reflect the highly contextual nature of pluralism: there is no single route to success that all societies must follow.

For more information on the Monitor and its methodology, visit our website at pluralism.ca/monitor.

ACKNOWLEDGEMENTS

ABOUT THE GLOBAL PLURALISM MONITOR

What is pluralism?

Diversity in society is a universal fact; how societies respond to diversity is a choice. Pluralism is a positive response to diversity. Pluralism involves taking decisions and actions, as individuals and societies, which are grounded in respect for diversity.

MEASURING INCLUSION AND EXCLUSION IN DIVERSE SOCIETIES

Living and engaging with differences in society is a challenge all societies face. As inequality, marginalization and divisions rise, building peaceful and inclusive societies is ever more urgent.

Vulnerable groups, including religious and ethno-cultural minorities, indigenous groups, and women and girls, face ongoing political, economic and social exclusion. To foster more just, peaceful and prosperous societies, these exclusions must be addressed. To take meaningful action, policy makers and practitioners need a holistic understanding of these issues.

Launched by the Global Centre for Pluralism, the Global Pluralism Monitor is a measurement tool that assesses the state of pluralism in countries around the world. Across political, economic, social and cultural domains, the Monitor informs decision-making to address root causes of exclusion and improve the prospects for pluralism.

Enhances existing efforts by governments, civil society and the private sector

The Monitor enables:

- Gap analysis: to assess the state of pluralism in societies and identify areas in which intervention is needed to address exclusion;

- Trends analysis: to track a country's trajectory over time, either towards greater inclusion or exclusion;

- Intersectional analysis: to assess the treatment of women in societies, accounting for intra-group dynamics of inclusion and exclusion;

- Conflict prevention: to identify signs of exclusion and marginalization before crisis becomes imminent;

- Good practices: to identify initiatives that are having a positive impact that could be further developed, or serve as lessons for other contexts

Approach rooted in both institutional and cultural responses to diversity

The Centre's approach to pluralism focuses on institutions (hardware), cultural processes (software) and the complex interactions between the two. Institutional arrangements – such as constitutions, legislatures, courts, and systems of government – outline the legal and political spaces within which members of societies act. Cultural habits or mindsets shape our perceptions of *who belongs* and *who contributes*, and influence how we interact with one another every day.

The Monitor Assessment Framework is rooted in the interplay between institutional and cultural responses, and measures inclusions and exclusions across political, economic and social dimensions. Its 20 indicators cover the following:

1. Legal commitments in support of pluralism;
2. Practices by state institutions to realize commitments;
3. Leadership towards pluralism from societal actors;
4. State of group-based inequalities;
5. Intergroup relations and belonging

Informed by expertise and data

A team of national experts on diversity and inclusion in the country uses the Monitor Assessment Framework to produce a country report, drawing on a range of qualitative and quantitative data. The reports offer recommendations for policymakers and practitioners on how to advance pluralism, and offer a basis for dialogue with stakeholders across the society.

Each team of experts is encouraged to define the story *they* want to tell about pluralism. In this way, the reports are grounded in the local realities and designed to have the most potential impact on policy and practice.

The Monitor is guided by an international Technical Advisory Group of leading experts on indices and diversity issues.

GLOBAL PLURALISM MONITOR ASSESSMENT FRAMEWORK

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│                           COUNTRY PROFILE                                 │
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COMMITMENTS	PRACTICES	LEADERSHIP	GROUP BASED INEQUALITIES	INTERGROUP RELATIONS + BELONGING
International Commitments	Policy implementation	Political Parties	Political	Intergroup Violence
National Commitments	Data Collection	News Media	Economic	Intergroup Trust
Inclusive Citizenship	Claims-Making and Contestation	Civil Society	Social	Trust in Institutions
		Private Sector	Cultural	Inclusion and Acceptance
			Access to Justice	Shared Ownership of Society

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EXECUTIVE SUMMARY

Canada's international reputation as an exemplar of pluralism has reflected its record in accommodating newcomers to the country and making room for a minority nation in Quebec. However, the image of Canada as a successful postnational state is now compromised by growing recognition inside and outside the country of its deep failures in the accommodation of the original occupants of the territory shared with Canada.

Canada is known internationally as a multicultural country, and many Canadians see pluralism as a central part of the cultural and national identity of the country. However, the Global Pluralism Monitor assessment of Canada tells a more complicated story, in particular about the experiences of Quebec as a sub-state nation, ethno-racialized minorities (particularly recent immigrants), and Indigenous Peoples.

Two major threads run through this report. The first highlights how the extent to which pluralism has been realized varies across the 20 indicators in the Monitor's assessment framework. The accommodation of pluralism is much stronger in some domains than others. The second thread highlights the dramatic differences across different minorities and Indigenous Peoples in Canada, with some minorities enjoying much stronger protections than others.

Pluralism in Canada is reflected most clearly in the legal commitments that constitute the framework for group relations in the country. The rankings for the international, constitutional, and domestic legal protections in the first section are quite strong, although less so for Indigenous Peoples compared to the Québécois or immigrants.

State practices to implement the commitment to pluralism that is embedded in the legal framework can often fall short, and rankings in this group of indicators are mixed. Data on diverse groups is regularly collected by the government and other institutions, and minority groups are able to advance their claims in domestic politics. However, the implementation of legal commitments is uneven, and gaps in data related to health and the justice system persist. The role of social actors in providing leadership for pluralism is also quite mixed. Major political parties have strong electoral incentives to respond to diverse groups, including large minorities; and the predominant voices in civil society are generally supportive. Nevertheless, the mainstream media are by no means uniformly enthusiastic in their coverage of pluralism and the private sector tends not to generate active champions of minority interests.

The weakest rankings come when attention shifts to group-based inequalities. The country does relatively well in ensuring political equality, but much less well on economic inequality and social inequality, especially again in relation to Indigenous Peoples. However, the report also notes strong performance against indicators related to intergroup relations and individuals' sense of belonging in Canadian society.

This mixed pattern can largely be attributed to the fact that pluralism in Canada is most apparent in the political domain: the formal legal structures; the role of political parties; and the ability of minorities and Indigenous Peoples to advance their claims. Furthermore, the ideal of multiculturalism regularly emerges in surveys as an important symbol of Canadian culture and identity, and has contributed to a supportive culture of intergroup relations and the sense of belonging among some groups, especially immigrant minorities. The results of the Monitor survey conducted as part of this assessment emphasized this by demonstrating overwhelmingly that respondents had high levels of trust towards others, regardless of their ethnic, religious, or cultural background.

However, this self-perception of Canadian society as inclusive and multicultural can mean that persistent systemic inequalities are invisibilized. In contrast to the ways that it is actualized in the political domain, pluralism is less rooted in economic and social structures. Economic and social inequalities are real, and the private sector and the media are not consistent champions of pluralism.

The political underpinnings of pluralism do not mean that existing accommodations for minorities and Indigenous Peoples can be solely attributed to the benevolence of the Canadian state. Many of the provisions that protect pluralism are the result of minorities' and Indigenous Peoples' effective use of institutional and electoral openings to shape policy, and their adoption often generated political conflict, sometimes intense conflict. This is particularly true for Québécois, who have been able to use the political opportunities generated by Canadian federalism and the need for political parties to win seats in Quebec, as well as the threat of secession, to advance policies to protect Québécois identity. To a lesser degree, this is true of ethnoracialized minorities, who have used electoral leverage and opportunities to push Canadian governments to protect and support pluralism.

The second major thread running through this report is that the accommodation of pluralism varies enormously across different minorities in Canada. The story of French-speaking Québécois and immigrant minorities is much stronger on almost all indicators than the experiences of Indigenous Peoples. Clearly, the promise of pluralism is not experienced equally by minority groups and Indigenous Peoples. Canada's international reputation as an exemplar of pluralism has reflected its record in accommodating newcomers to the country and making room for a minority nation in Quebec. However, the image of Canada as a successful postnational state is now compromised by growing recognition inside and outside the country of its deep failures in the accommodation of the original occupants of the territory shared with Canada.

COUNTRY PROFILE

Canada is a pluralistic society that encompasses a diverse set of minority ethnic and racialized groups, including Indigenous Peoples, the original occupants of these lands, a French-speaking national minority based in Québec and a large immigrant population.

Canada is a pluralistic society that encompasses a diverse set of minority ethnic and racialized groups, including Indigenous Peoples, the original occupants of these lands, a French-speaking national minority based in Québec and a large immigrant population. Canada's federal structure can make accommodating the rights, demands and entitlements of these groups complicated since implementation of human rights protections can vary widely between provinces and territories. Accommodation is further complicated by the fact that minority groups' demands often challenge the established order and by the lack of a common vision of Canada that is shared by the majority and by Indigenous Peoples, Québécois and ethnoracialized minorities.

Indigenous Peoples, including First Nations, Inuit and Métis Peoples, represented 4.9 percent of the population in 2016. Since European settlement, they have suffered the dispossession of lands, attempts to eradicate their cultures and traditional structures of governance, mistreatment in residential schools and many other rights abuses. Indigenous Peoples claim the right to self-determination as First Nations and the original, self-governing inhabitants of the lands that became Canada. While Indigenous–Canadian relations are dominated by offers of delegated and limited self-governing powers, the goal of many Indigenous Peoples is a return to the nation-to-nation dealings that characterized their relationship with the settler state during the early contact period. The relationship between Indigenous Peoples and the Canadian state is full of ambivalence. Many Indigenous Peoples engage in negotiations to secure land claims agreements and advance their constitutional rights, while largely rejecting the sovereignty of the Canadian state. For some Indigenous scholars and activists, this ambivalence is resolved through a commitment to Indigenous Resurgence, a movement that envisages the rebuilding of Indigenous nations from within and a rejection of the "negotiated inferiority" offered by the settler states' schedule of rights and delegated powers.

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Immigration and multiculturalism discourses have seen the racialization of minority cultures and religions, which are seen by some as threats to Canadian and Québec cultures. This cultural insecurity feeds systemic racism and prejudice, which the multicultural program is struggling to address.

Considered one of the "two founding nations" at Confederation in 1867, Québec politics since the 1960s has been characterized by calls for the recognition of Québec as a nation within—a distinct society representing the homeland of French Canada. The adoption of a federal system in 1867 and the concentration of francophones in Québec has afforded Québécois a provincial government to represent their claims and engage in nation-building. While Québec–Canada relations have gone to the brink of secession and back, the province has used its provincial government and the flexibility of asymmetrical federalism to expand its jurisdiction in culturally sensitive domains such as immigration. Nonetheless, changing demographics and a growing immigrant population have created a sense of insecurity in the province about the future of the French-speaking nation.

Canada has long been a country of immigration. However, amendments to the immigration policies in 1962 and 1967 ushered in a fundamental change in the composition of the Canadian population. Racialized minorities previously discriminated against by immigration authorities entered the country en masse. At the time of the 2016 census, people born outside of the country represented 28.5 percent of the population, and racialized minorities constituted 22.3 percent. South Asian, Chinese and black individuals make up the three largest racialized minority groups, each with a population exceeding one million.[1] Tensions with ethnoracialized groups once centred on the lesser place afforded to multicultural minorities relative to "the two founding nations" of English- and French-speakers. In 1971, the country adopted a policy of multiculturalism, promising a cultural mosaic in which citizen integration would not require the abandonment of cultural practices. More recently, immigration and multiculturalism discourses have seen the racialization of minority cultures and religions, which are seen by some as threats to Canadian and Québec cultures. This cultural insecurity feeds systemic racism and prejudice, which the multicultural program is struggling to address.

SCORING AND TERMINOLOGY

SCORING

Scoring in this report is based on the Monitor Assessment Framework developed by the Global Centre for Pluralism (the Centre). For each criterion in the framework, we used academic studies, news stories, government reports and information, legal cases, available statistical data, and (for Part V) the Centre's Perceptions Survey to determine where Canada should score in the Centre's framework. We stuck to the descriptors for scoring provided in the Centre's Assessment Framework as much as possible.

It is important to note that the Centre's scoring framework focuses on *contemporary* practices and policies. However, in most cases, current policies represent responses to issues created by the operation of ethnocentrism, racism, sexism and colonialism, historically and in the present day. We have tried to call attention to these connections in our discussions. The text, therefore, acknowledges the ways in which past actions and practices as well as contemporary failures have led to inequalities that exist today. This is particularly true in the discussion of economic and social inequalities, as existing patterns of inequality undoubtedly reflect past as well as current actions. However, our scores reflect current realities. For example, when making judgements about questions such as access to citizenship, we looked at whether different groups have access to citizenship today as opposed to whether they had access to citizenship historically. This choice is not to minimize the importance of historical inequalities but rather to be consistent with the contemporary focus of the Centre's broader framework.

Assessing the accommodation of pluralism is inevitably a contested process, and we appreciate that some people, especially members of the groups discussed here, may disagree with our scoring. For example, some Québécois/Québécoise may consider the scores for the accommodation of their nation to be rather high. Once again, we would encourage people with questions about our choices to examine the criteria established for each indicator by the Assessment Framework adopted by the Centre and to bear in mind that this Framework was developed for a project comparing the accommodation of pluralism in countries around the world.

MINORITY GROUPS AND TERMINOLOGY

To capture the way pluralism is experienced differently across different minority groups, we decided on scores on each indicator for three broad minority groups, which we characterize as Québécois, ethnoracialized minorities and Indigenous Peoples.

When determining scores for Québécois, we focussed on francophones within Québec, though we make some reference to francophones outside Québec in some of our scores. We make references to Quebecers when referring to the general population of the province.

Under the heading of ethnoracialized minorities, we consider how pluralism affects ethnic, racialized and religious minorities as well as immigrants. We acknowledge that the experiences of each of these more specific categories of minorities are different. The experience of ethnic minorities, for example, is likely different than that of immigrants or religious minorities. In addition, the experiences of different minorities within these more specific categories are likely different. The experiences of black Canadians are likely very different from that of South Asian Canadians or Chinese Canadians. Gender differences complicate things further. The need to provide a reasonably broad overview of pluralism in Canada, however, required grouping these categories together. As much as possible, we have tried to acknowledge the way that different aspects of pluralism in Canada affect the experiences of different groups in this category differently. In our scores, we focus on the groups within the broad category of ethnoracialized minorities that are most affected by the indicator in the Framework being scored. For example, in the section on inclusive citizenship and ethnoracialized minorities, we pay particular attention to immigrants, while in the section on intergroup violence, we focus more on racial and religious minorities. Finally, it should be noted that as much as possible we use the term ethnoracialized minorities when referring to this broad category as a whole but use more specific terms when referring to narrow groups we considered within this category. We also use the term "racial," rather than racialized, when referring to a person's own self-identification. When citing outside research or using statistical data collected by others, we adopt the terms used in the research or in the statistical data we are using. For example, when discussing Canadian census data, we use the term "visible minority" because that is the term that the census uses.

When deciding on scores for pluralism as it affects Indigenous Peoples, we considered the experiences of First Nations, Inuit and Métis. As with ethnoracialized minorities, the experiences of Indigenous Peoples in Canada vary considerably, and we acknowledge that many of the same difficulties that exist with developing single scores for ethnoracialized minorities also apply to Indigenous Peoples in Canada.

When comparison is needed, our point of comparison for each minority group is all other Canadians unless otherwise stated. When we compare Québécois to other Canadians, we include ethnoracialized minorities and Indigenous Peoples in English-speaking parts of Canada. When we compare ethnoracialized minorities to other Canadians, we include Québécois and Indigenous Peoples who do not identify as ethnoracialized minorities in the other Canadians groups; and when we compare Indigenous Peoples to other Canadians, we include non-Indigenous Québécois and ethnoracialized minorities in the other Canadians group.

It should be noted that individuals can fall into multiple categories in our assessment. For example, one can be both an ethnoracialized minority and Québécois. Our attempt to develop scores should not be seen as an attempt to separate individual Canadians into different minority groups or paper over the way that different identities intersect to affect the way pluralism is experienced in Canada. Rather we try to capture the way different policies, public opinion, decisions by private organizations and other factors considered in the report affect different aspects of identity and diversity differently.

PART I.
LEGAL COMMITMENTS
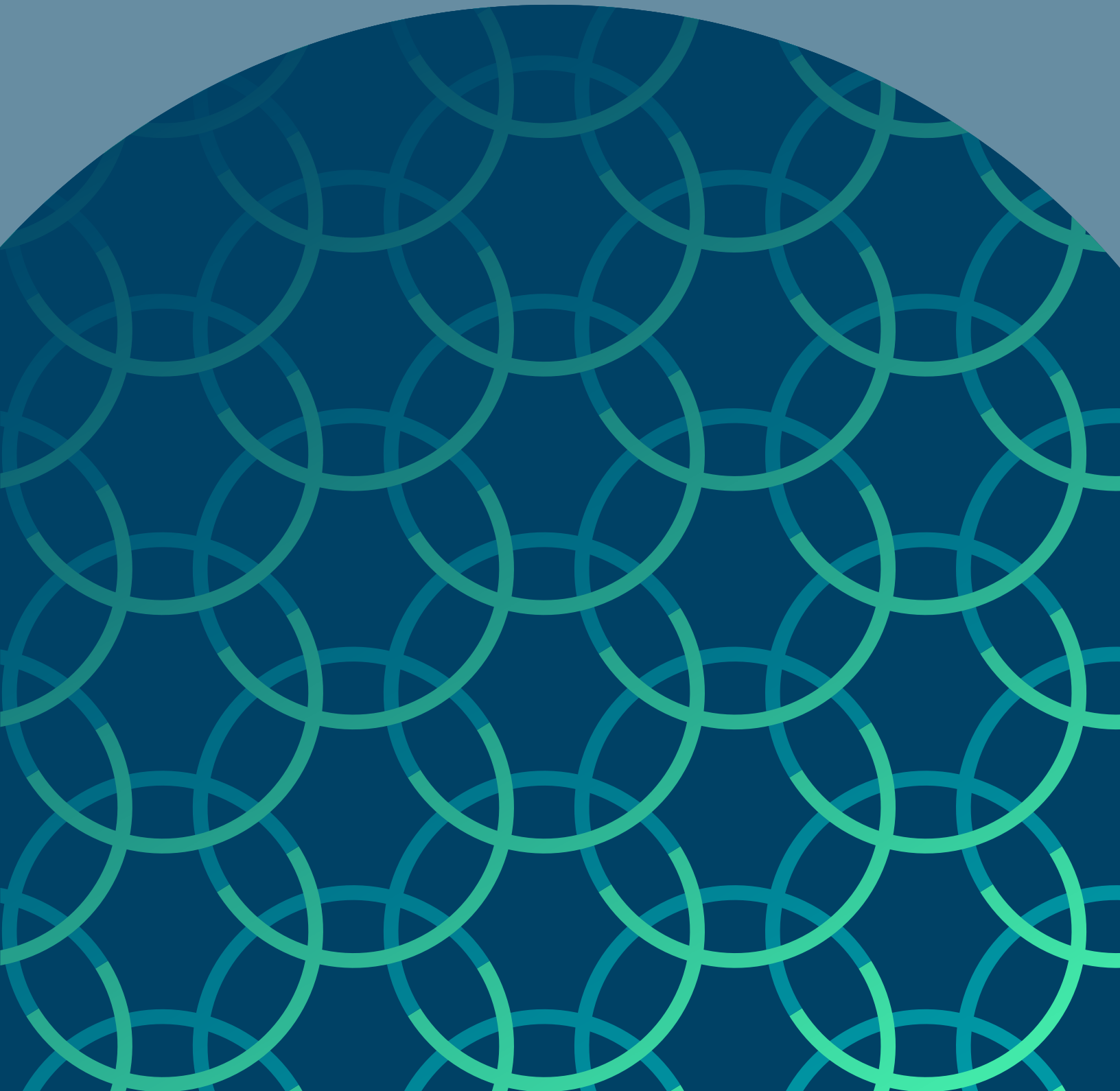
1. INTERNATIONAL COMMITMENTS

International law is an important starting point for pluralism. Canada has ratified 10 major United Nations (UN) human rights treaties and consistently submits periodic reports addressing treaty implementation. But Canada has declined to ratify the treaties related to human rights and pluralism developed by the Organization of American States (OAS).

Table 1.1 Treaties on human rights and pluralism ratified by Canada

TREATY	SIGNED	RATIFIED
United Nations Conventions and Declarations		
Convention on the Elimination of All Forms of Discrimination against Women	1980	1981
Convention on the Prevention and Punishment of the Crime of Genocide	1949	1952
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment	1985	1987
International Covenant on Civil and Political Rights		1976
International Covenant on Economic, Social and Cultural Rights		1976
International Convention on Elimination of All Forms of Racial Discrimination	1966	1970
Convention on the Rights of the Child	1990	1991
Convention relating to the Status of Refugees and Protocol relating to the Status of Refugees		1969
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families		Not Ratified
Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities	1992	
UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions	2005	2005
Declaration on the Rights of Indigenous Peoples	2010	2016
Other Conventions and Declarations		
International Labour Organization Convention concerning Indigenous and Tribal Peoples in Independent Countries		Not ratified
OAS and Related Organizations		
OAS American Convention on Human Rights		Not Ratified
Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights		Not Ratified
Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance		Not Ratified
Inter-American Convention against All Forms of Discrimination and Intolerance		Not Ratified

Source: Canada (2020), INAC (2017); ILO (2017); OAS (2019); OHCHR (2014); UN Treaty Series (n.d.)

QUÉBÉCOIS | SCORE: NOT APPLICABLE

Canada's international commitments apply unevenly across different types of minority groups. Such commitments have little relevance to the Québécois national minority. The UN did adopt a Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in 1992. Although the declaration was adopted by the UN General Assembly without a formal vote, Canada probably supported the document in spirit. However, as a "declaration," the commitment does not involve the level of monitoring and accountability associated with conventions (i.e., no annual reports, no complaints procedure). Indeed, the UN minorities declaration is so weak and vague that Québécois would have no reason to ever invoke it. Their national constitutional guarantees are much stronger than what the UN Declaration provides.

ETHNORACIALIZED MINORITIES | SCORE: 8

International commitments do inform debates about other minorities, and Canada is actively involved in the monitoring mechanisms of the treaties to which it is a party. Various committees on the implementation of UN treaties have noted positive steps that federal and provincial governments have taken to implement treaties. These include the development of an anti-racism strategy in Ontario and the condemnation of Islamophobia by the federal House of Commons.[2] Also noted are measures to protect economic, social and cultural rights by restoring access to the interim federal health program to refugees and making diversity a priority in appointing federal Cabinet ministers.

However, committees have also noted a wide range of concerns, including the following, for example:

- In 2012, the Committee on the Rights of the Child emphasized the overrepresentation of black and Indigenous children in the criminal justice system and among children who had been removed from their homes.[3]

- In 2015, the Human Rights Committee raised numerous concerns about counter-terrorism measures and rights compliance, including due process failures for the deportation of non-citizens under the security certificate regime.[4] In 2018, concerns about Canada's security certificate regime were again raised by the Committee against Torture, which emphasized the potential for indefinite detainment of suspected terrorists and the limited capacity of special advocates to seek evidence on behalf of those named in security certificates.[5]

- In 2016, the Committee on Economic, Social and Cultural Rights highlighted the continued failure to protect socio–economic rights in domestic courts or deem them justiciable.[6] The Committee lamented the lack of legal remedies to address Covenant violations and the disproportionate impact of this omission on Indigenous and racialized persons.[7] The plight of seasonal agricultural workers was also addressed, stating that Canada's permit system, which ties temporary and seasonal migrant workers to a specific employer, creates the risk of exploitation. Recommendations here included increased inspections and replacing employer-specific work permits with "type-of-work" permits to help promote more just working conditions.[8]

- In 2017, the Committee on the Elimination of Racial Discrimination noted Canada's failure to provide disaggregated economic and social data to evaluate the enjoyment of rights by specific racialized, Indigenous and non-citizen groups. These diverse communities were effectively rendered invisible by use of the term "visible minority."[9] Discrimination and inequality in education and employment affecting Indigenous and racialized persons were also raised.[10]

- In 2018, the Committee against Torture raised concerns about the operation of the Safe Third Country Agreement and recommended that Canada undertake an assessment of the agreement's impact on asylum seekers who fear deportation and have compelling grounds for refugee status.[11]

INDIGENOUS PEOPLES | SCORE: 5

In addition to the reports above, which deal generally with racialized and Indigenous communities, a number of reports have focussed explicitly on the treatment of Indigenous Peoples, where Canada's record is weaker. Several of the concerns of treaty monitoring bodies speak specifically to the treatment of Indigenous Peoples.

In 2012, the Committee on the Rights of the Child noted Canada's failure to address disparities between child welfare services for Indigenous and non-Indigenous children, despite a finding of inequality by Canada's auditor general, as well as concern for the ability of children removed from their homes to preserve their cultural identities.[12]

In 2015, the Human Rights Committee expressed concerns about the disproportionate incarceration rates of Indigenous Peoples and protracted land claim disputes.[13] Meeting basic sustenance needs and the continuation of Indigenous languages were also raised.[14]

In 2017, the Committee on the Elimination of Racial Discrimination raised concerns with respect to Indigenous rights regarding resource development and the underfunding of child and family services for Indigenous children.[15]

In 2018, the Committee against Torture addressed the issue of Missing and Murdered Indigenous Women and Girls (MMIWG), recommending that all justice officials and law enforcement personnel receive mandatory training on the prosecution of gender-based violence.[16] The Committee also called on Canada to investigate and prosecute all gender-based violence against Indigenous women and girls, including violence perpetrated by state authorities, and to provide a mechanism for the independent review of cases where allegations of incomplete or inadequate police investigations are made.[17] The Committee further urged Canada to accede to the International Convention of the Protection of All Persons from Enforced Interference and to track the number of complaints, investigations, prosecutions, convictions and sentences involving gender-based violence, using disaggregated data that includes the age and ethnicity or nationality of the victim.[18]

Canada's slow accession to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) deserves particular discussion. Canada actively lobbied against the agreement in 2006 and 2007.[19] It voted against UNDRIP in 2007 before endorsing it with the reservation that it did nothing to change Canadian law, signaling an unwillingness to implement or even be bound by many of the provisions in the declaration.[20] Following

a change in government from the Conservative Party to the Liberals in 2015, Canada accepted the declaration in full in 2016. However, the government pre-emptively stated that the declaration will not affect case law of the Supreme Court of Canada on Canada's fiduciary duty/duty to consult.

Progress on the implementation of UNDRIP has been slow. As of 2019, both the Assembly of First Nations (AFN) and the Inuit Tapiritt Kanatami had raised concerns about the lack of UNDRIP's implementation.[21] Implementing UNDRIP will require Canada to grapple with significant issues. This includes the disproportionate level of violence directed against Indigenous women and girls, which was the subject of the National Inquiry into Missing and Murdered Indigenous Women and Girls. The agenda also includes resolving the conflict between both governments and industry and Indigenous nations over the development of resource extraction related projects, such as the Trans Mountain Pipeline and the Coastal GasLink pipelines that run through different nations' territories. Other issues include non-compliance with orders of the Canadian Human Rights Tribunal over the provision of equitable social services to Indigenous children.[22]

While there is a certainly a symbolic commitment to UNDRIP on the part of the federal government, it is unclear what the commitment means for conflicts between Indigenous nations and the federal government, or for the social and economic inequalities experienced by Indigenous nations. In December 2020, the federal government introduced legislation on implementing UNDRIP. However, the legislation stops short of giving Indigenous nations a veto over projects such as natural resource development on their traditional territories, insisting that the existing Canadian constitutional structure allows the federal government the final decision over projects deemed to be of public interest.[23]

2. NATIONAL LEGAL COMMITMENTS

The division of powers in the federation is comparatively decentralized and asymmetric arrangements have enhanced the powers of the Province of Québec over culturally sensitive policies including immigration.

National legal commitments serve as the formal basis for the state's response to diversity. Once again, the legal and policy frameworks that recognize and protect the rights of groups differ across minority groups and Indigenous Peoples.

QUÉBÉCOIS | SCORE: 9

The federal system, with its decentralized and asymmetric features, provides French speakers in Québec with a powerful instrument of self-governance. The division of powers in the federation is comparatively decentralized and asymmetric arrangements have enhanced the powers of the Province of Québec over culturally sensitive policies including immigration. The rights of Québécois are also anchored in the Canadian Constitution. Sections 16–20 of the Canadian Charter of Rights and Freedoms (the Charter) (1982) entrench French as an official language of Canada, and s. 23 protects minority education rights, allowing French-speaking citizens in English majority provinces to school their children in French.[24] Finally, s. 93 (1) of the Constitution Act, 1982 safeguards the status of publicly funded denominational schools that existed at Confederation, protecting them from the provincial power to legislate in the area of education.[25]

The right of Québec to self-determination is further protected by the Québec secession reference case brought before the Supreme Court following the 1995 referendum on Québec sovereignty. In the reference case, the Court found that, while Québec did not have a unilateral right to secede, the federal government and provinces would be expected to negotiate the secession of Québec in good faith in the event that a clear majority of Quebecers voted in favour of secession on a clear question.[26] In the aftermath of the judicial reference case, the federal government passed the Clarity Act (2000), which allows the federal government to stipulate what they would recognize as a clear majority and a clear question.[27] This places some constraint on the ability of Québec to vote for its secession from Canada, though it is unlikely that the federal government would be able to prevent Québec from seceding unless a vote for secession was decided by a very narrow margin.

Québec's distinct national identity has been formally recognized twice by resolutions in the federal Parliament. This was done in 1995 shortly after a referendum on Québec sovereignty failed by a razor-thin margin. Québec was also recognized as a "nation within Canada" in 2006, as the government sought to deflect a resolution moved by the Bloc Québécois (a Québec separatist party) that would have recognized Québec as a nation without the stipulation that it was a nation within Canada. Both resolutions have been treated largely as symbolic and came in response to efforts by sovereigntists to assert a greater degree of independence for Québec.

In addition to this broad recognition, the rights of Québécois are defined in specific policy domains through legislation of the federal government and the provincial government of Québec. In some areas, *especially* language rights, the policy regimes of the two levels of government conflict. The federal Official Languages Act (1985), based on a conception of Canada as a bilingual country, defines English and French as official languages in all activities of the federal government.[28] Citizens have the right to use either language in Parliament and federal courts and to receive services from federal agencies in the official language of their choice. In contrast, language legislation of the Québec provincial government defines French as the sole official language in the operations of the provincial government and deploys various measures to give priority to French in public education, commercial signs and the workplace.

Beyond the domain of language, most culturally sensitive areas fall under the jurisdiction of the Québec government, and its legislation and policies reflect the distinct Québécois culture. The asymmetric devolution of additional authority to Québec in the area of immigration allows Québec to give priority to French-speaking immigrants and to establish a distinct intercultural model of integration policies, which stands in contrast to the federal model of multiculturalism. As we shall see in more detail in Part II (2), the interculturalism approach has seen the introduction of restrictions on religious dress in the public space, efforts which have been criticized in the rest of the country but supported by the majority of the Québec population.

ETHNORACIALIZED MINORITIES | SCORE: 7

The Constitution of Canada entrenches a number of provisions of particular relevance to ethnoracialized minorities. Section 2 of the Charter provides protection for fundamental freedoms including those of conscience, religion, belief, opinion and expression,

While federal multiculturalism was seen as implying the equal recognition of all cultures, negating the centrality of any particular culture, Québec's intercultural approach defines the francophone majority culture as the central hub towards which other minority cultures are expected to move.

and s. 14 entitles participants in legal proceedings to interpreters. Section 15 protects against discrimination based on "race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." Importantly, s. 15 (2) provides that ameliorative programs aimed at addressing disadvantage are not discriminatory. Finally, s. 27 stands as a broad interpretive section for the entire document, providing that the Charter will be interpreted in a manner consistent with the preservation and enhancement of Canada's multicultural heritage.[29] However, this section is a broad interpretive provision and has rarely been used directly in adjudicating claims involving other Charter sections.[30]

There are, however, significant limitations that restrict the strength of these Charter provisions. Section 1 states that the Charter "guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." [31] A complex jurisprudence has developed to guide courts in interpreting reasonable limits to rights. Additionally, religious freedom, the right to an interpreter and equality rights are subject to s. 33 of the Charter, which allows a provincial or federal government to override rights for a period of five years (renewable) by a simple legislative majority.[32]

At the level of general legislation, Canada has an extensive multiculturalism program that was first announced in 1971 and is anchored in the Canadian Multiculturalism Act (1988).[33] The immediate goal of multiculturalism was to change the terms of integration for immigrants, laying to rest ideas of assimilation and creating space for ethnic minorities to celebrate aspects of their traditional culture and traditions while participating in the mainstream of society.

Multiculturalism was also part of a broad state-led redefinition of national identity, an effort to diversify the historic conception of the country and build a more inclusive nationalism—a national identity reflective of Canada's cultural complexity. Elements of this program include funding for ethnic minority cultural organizations, requirements that public broadcasting include individuals from diverse backgrounds, inclusion of diversity in the school curriculum and broad acceptance of exemptions to dress codes for religious dress.[34]

Although the multicultural approach to pluralism is widely celebrated in English-speaking Canada, Québec has charted a different course, known as interculturalism, which has two features that set it apart from the federal approach. As we have seen, federal multiculturalism promotes the choice of two official languages, English and French, while the Québec model defines French as the common language in the province. Beginning in the 1990s, Québec also developed a distinct approach to diversity. While federal multiculturalism was seen as implying the equal recognition of all cultures, negating the centrality of any particular culture, Québec's intercultural approach defines the francophone majority culture as the central hub towards which other minority cultures are expected to move.[35] Part II (2) discusses how the differences in these two legal approaches to pluralism have worked out in practice.

Canada also has employment equity legislation, although these programs have significant limitations. While provincial and federal human rights codes exist to address discrimination by private employers and voluntary associations, the federal Employment Equity Act (1995) promotes proactive hiring practices for both racialized minorities and Indigenous persons in the federal public service and federally regulated workplaces.[36]

Although no specific quotas are set for employers as a whole, they are expected to work toward targets based on labour-market availability thresholds. Employers must prepare reports on the number of people in designated groups employed at different levels of their organizations and have a plan in place to respond to inequalities. Technically, the legislation applies only to federally regulated industries, which together employ about 10 percent of the Canadian workforce. The fact that provinces other than Québec do not have parallel legislation means that most employers are not covered. This weakness is partially mitigated by the Federal Contractors Program, enacted in 1986, which requires larger employers wishing to bid on federal contracts or receive federal grants to develop employment equity programs designed to identify and eliminate discriminatory barriers. In 1995, a new Employment Equity Act was passed, which improved compliance provisions by giving the Canadian Human Rights Commission the authority to conduct audits and creating a tribunal to enforce compliance. In 1999, the Commission found that many employers set goals that were lower than the labour-force availability of the designated groups.[37]

Finally, criminal law sanctions prohibiting hate speech protect diverse groups.[38] Prohibited speech includes advocacy of genocide and inciting hate against an identifiable group in a manner that is likely to lead to violence. Anti-hate provisions have generally been upheld by the courts when they have been challenged, and judges can impose higher penalties when crimes have been motivated by hate.[39]

INDIGENOUS PEOPLES | SCORE: 4

Indigenous Peoples have never been recognized as founding peoples of Canada. They lack the veto over constitutional change that Canadian provinces enjoy, and their inclusion in negotiations over constitutional amendments has often been limited.[40] Nevertheless, the rights of Indigenous Peoples are protected in both s. 25 of the Charter and s. 35 of the Constitution Act, 1982.[41] The latter section has been much more important, entrenching existing "Aboriginal and treaty rights," including rights attained by land claim agreements. However, judicial interpretation has also limited this provision. For example, while s. 35 Aboriginal and treaty rights fall outside the Charter and therefore beyond the reach of the reasonable limitations test in s.1 of the Charter, the Supreme Court of Canada has effectively imported the same approach into s. 35, allowing governments to limit rights where doing so amounts to a justifiable interference (R. v. Sparrow).[42] Despite these limitations, there have been significant court rulings in Canada, several of which have been critical to Indigenous land rights (Delgamuukw v. British Columbia).[43] In Tsilhqot'in Nation v. British Columbia (2014), the Supreme Court recognized Indigenous title to unceded traditional lands but also set out grounds on which that title could be overridden by the public interest.[44]

Nonetheless, colonial era laws, such as the Indian Act, still place significant restrictions on the exercise of self-determination by Indigenous nations. Of particular note is the control that the Indian Act grants to the federal government over who can claim Indian status for legal purposes, and as a result who has access to the benefits and rights afforded by treaties negotiated with the federal government. Historically federal government control over membership has been exercised to the disadvantage of Indigenous women, with women who married non-Indigenous men being forced to give up their status, while men who married non-Indigenous women were not required to do so. A challenge by Sandra

Lovelace Nicholas to the UN Human Rights Commission led to changes to status to allow women who married non-Indigenous men to keep their status (and those who have lost their status due to previous marriages to regain it). Status, however, is differentiated into two different categories known as 6 (1) and 6 (2) status. Individuals end up with 6 (2) status if they have only one parent who has status, and such individuals may not pass their status on to their children unless both parents of the child have status. The result of these rules is a loss of control by Indigenous communities over who can claim the legal rights entitled to members of their communities by treaties and the perpetuation of the gender-discrimination inherent in the marrying out rule.

The most persistent claims for Indigenous recognition and protection have taken the form of demands for self-determination. The federal government has responded with self-government and land settlement agreements, which offer delegated powers to Indigenous communities. While a Comprehensive Land Claims Policy was created in 1973, the federal government's 1995 Inherent Right Policy provides a framework for the negotiation of self-government agreements in recognition of the collective right of Indigenous Peoples to govern their own internal community affairs.[45] More limited intergovernmental agreements are also available for the delegation of federal power over specific community issues, without entering into self-government agreements. Importantly, the Inherent Right Policy explicitly rejects Indigenous sovereignty.

Finally, Canada's legal system offers criminal sanctions to address violence against women. Nonetheless, women across Canada experience gender-based violence. Indigenous women experience particularly high rates of gendered abuse. They are almost three times more likely to be violently victimized than non-Indigenous women with 79 percent of those acts being committed by male perpetrators.[46] In 2015, Indigenous women were six times more likely to be murdered than non-Indigenous women and more than two-and-a-half times more likely to be murdered than Indigenous men.[47] Additionally, Indigenous women experience considerable racialized and sexualized violence at the hands of police, which often goes unreported or is handled through employee discipline procedures rather than through criminal charges. While Canada has taken steps to investigate violence against Indigenous women through its National Inquiry into MMIWG, leaving police authorities, including the Royal Canadian Mounted Police (RCMP), to investigate officers accused of violence against women remains a serious hurdle to addressing gendered and racialized violence.[48]

3. INCLUSIVE CITIZENSHIP

Citizenship is a primary mechanism by which states recognize an individual as deserving of formal rights and protections as well as being a full member of that country. Unlike many others, this formal dimension of pluralism varies relatively little among different minorities in Canada.

QUÉBÉCOIS | SCORE: 10

Like all other Canadians, Québécois who are born in Canada or have at least one parent with Canadian citizenship are considered citizens of Canada. The status of Quebecers as full citizens within Canada dates to the approach of the Britain Parliament in the Quebec

Act (1774), in which Québécois were considered to be subjects of the British Crown, a status that, therefore, predated the emergence of a distinct Canadian citizenship for both Québécois and anglophone Canadians.[49] As Canada developed its own nationality and citizenship laws in the 1940s, Québécois and other francophone Canadians held the same status as anglophone Canadians.

ETHNORACIALIZED MINORITIES | SCORE: 8

Canada has adopted a *jus soli* approach to citizenship, ensuring that people born in the country have an automatic right to Canadian citizenship.[50] Accordingly, members of ethnoracialized minorities born in Canada are automatically considered to be citizens. For members of ethnoracialized minorities coming to Canada as immigrants, access to citizenship is more complicated and depends on the interaction between immigration law and citizenship law.

For immigrants admitted as permanent residents, access to citizenship is relatively straightforward, and rates of citizenship acquisition are generally very high. The Migration Integration Policy Index (MIPEX) notes that in 2011, fully 92 percent of foreign-born individuals had become citizens after 10 years of living in the country.[51] Bloemraad attributed the high level of citizenship acquisition in Canada to a multicultural immigrant integration policy that actively promotes citizenship acquisition.[52] In addition, Canada has accepted dual citizenship since 1977, ensuring that newcomers do not have to surrender their past to become Canadians. In 2014, the Conservative government enacted reforms that slowed the process of citizenship acquisition somewhat, although the succeeding Liberal government partially offset the changes. As a result, permanent residents have to be in Canada for three out of the last five years to apply for citizenship.[53]

Access to citizenship for other categories of immigrants is much more difficult. The Temporary Foreign Worker's Program (TFWP) along with the International Mobility Program allows migrants to enter Canada for limited periods of time in order to work, usually for specified employers. Most low-skilled individuals who enter Canada through the TFWP to work in areas such as agriculture or retail are unable to get permanent residency and must leave Canada once their contracts are complete. The Seasonal Agricultural Worker Program (SAWP) is notable in this regard. Prokopenko and Hou found that after 10 years of participation in SAWP, only 2 percent of workers had secured permanent status.[54] The Caregiver Program stands as an exception. Workers in this program can apply for permanent status after two years or 3900 hours of work experience. Between 1990 and 2014, 86.9 percent of those admitted under the Live-in Caregiver Program had secured permanent status after 10 years.[55] As of 2016, this category of workers is also required to satisfy a language requirement and have at least one post-secondary education credential to qualify for permanent residency.[56] In April 2021, the federal government introduced a pathway to citizenship for three streams of temporary foreign workers, one for workers in health care, one for workers doing what the government classifies as essential jobs and one for international students.[57]

In the aftermath of 9/11, immigration became increasingly securitized and racialized persons became increasingly associated with criminality and threats to security.[58] In 2015, legislation came into effect allowing Canada to strip the citizenship of dual nationals convicted of terrorism-related offenses as well as those found to have gained

citizenship status through fraud or false representation. The law concerning dual citizens was repealed in 2017 having only been applied in one case.[59]

INDIGENOUS PEOPLES | SCORE: 9

Historically, the efforts of settler governments to dismantle Indigenous nations operated through citizenship rules. The Gradual Civilization Act (1857) and the Gradual Enfranchisement Act (1869) offered Indigenous men the "privilege" of attaining citizenship in return for the forfeiture of their treaty rights.[60] When voluntary enfranchisement failed, the first Indian Act, passed in 1876, instituted compulsory enfranchisement upon certain conditions being met, conditions that most Indigenous men ensured they did not meet.[61] Prior to 1960, the Indian Act considered members of First Nations as wards of state as opposed to citizens with the rights held by others.[62] Since then, Indigenous persons have held voting rights on the same basis as all other Canadian citizens. In the contemporary context, like Québécois, Indigenous persons born in Canada or born to at least one Canadian parent are automatically considered citizens, and, as noted at the outset of this report, scoring on this indicator is based on current rather than historical practice.

However, the relationship between Indigenous Peoples and Canadian citizenship is complicated by Indigenous claims to nationhood. First Nations leaders prefer to define the relationship with Canada as one between separate nations and insist that political relations should proceed on a nation-to-nation basis. Accordingly, many Indigenous individuals do not define themselves as citizens of Canada and choose not to vote in Canadian elections.

Citizenship rights for Indigenous nations that span both sides of the Canada-United States (US) border are especially complex. The US recognizes the right of Indigenous individuals born in Canada to freely enter and work in the US under the Jay Treaty. However, the Canadian government does not reciprocate, as it considers the Jay Treaty to have been abrogated by the War of 1812.[63] Members of First Nations whose territory crosses the Canada-US border and who are born in the US are thus not automatically considered Canadian citizens and do not have an automatic right to enter Canada even though significant portions of territory claimed by their communities are in Canada. This is particularly an issue for the Mohawk of Akwesasne whose territory spans both sides of the Canada-US border.[64]

The issue emerges most graphically in the use of passports. The Haudenosaunee Confederacy, which spans the US-Canada border, issues its own passports. Canada (as well as many other states) does not recognize these passports, which can create challenges for Haudenosaunee individuals travelling on them. Both the Iroquois Nationals lacrosse team and a delegation to a climate change conference in Bolivia have had difficulty entering countries and returning to Canada because of their decisions to travel on Haudenosaunee passports.[65]

PART II.
PRACTICES
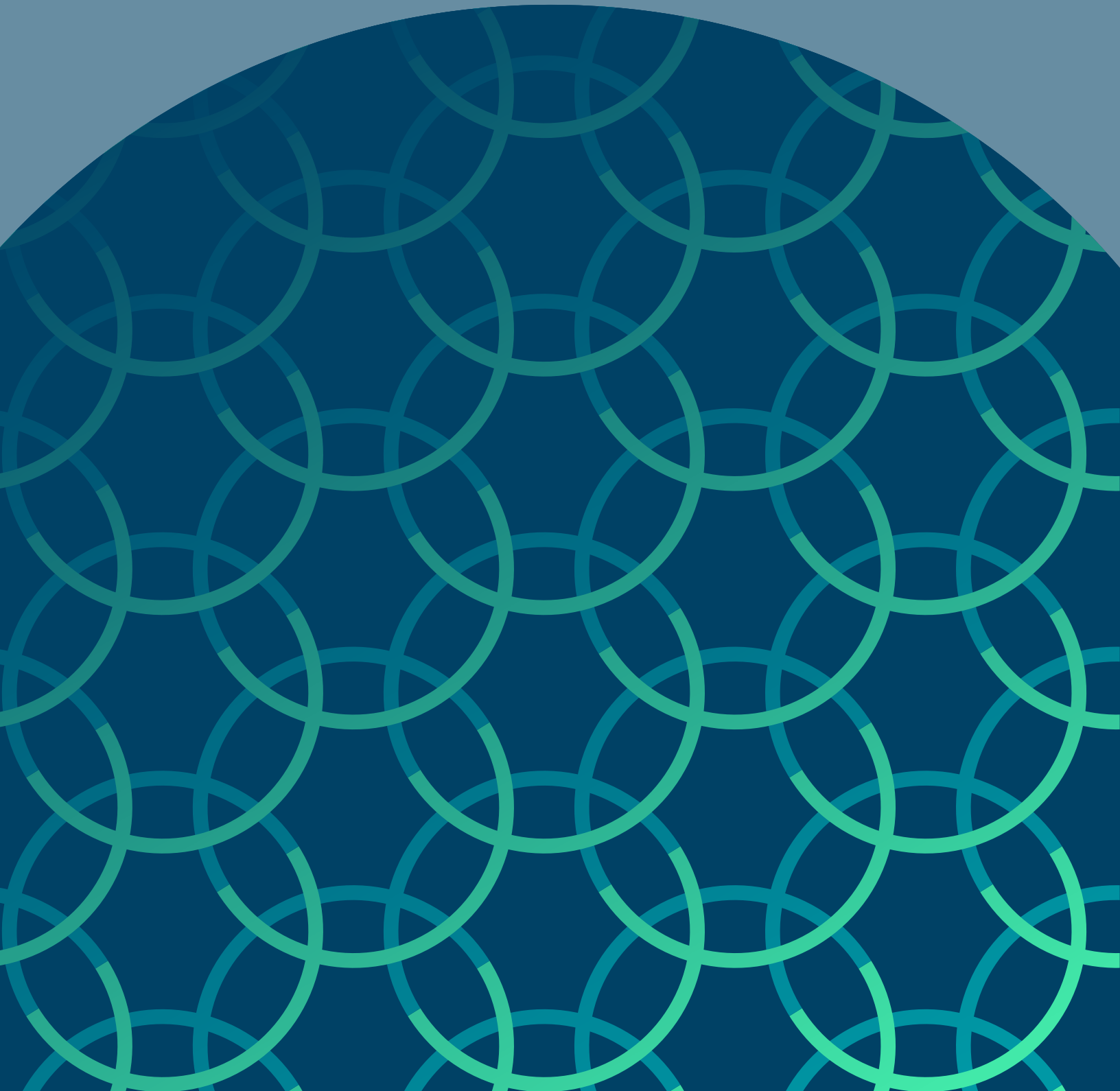
4. POLICY IMPLEMENTATION

Not surprisingly, there are continuing debates about whether the legal commitments to pluralism are fully implemented in practice. Minority groups and their supporters highlight many places at which Canada falls short. At the risk of oversimplification, one might conclude that the commitments to Québécois have been more fully realized than commitments to other groups, especially Indigenous Peoples.

QUÉBÉCOIS | SCORE: 9

In practice, the federal system provides Québécois with a powerful instrument of self-governance. The general division of powers in the federation is comparatively decentralized and asymmetric arrangements have enhanced the powers of the Province of Québec over culturally sensitive policies including immigration. Since the Québec referendum of 1995, when the separation of Québec from Canada was defeated by the slimmest of margins, a new equilibrium seems to have emerged. The federal government and other provinces have accepted elements of asymmetric decentralization to Québec. The protracted political battles over the division of jurisdiction, which dominated Canadian politics for decades, have eased and support for separation among Quebecers has declined. Nevertheless, Québec remains insistent on preserving its separate cultural space and resists federal interventions—as in the case of the Québec policy on religious dress.

Canadian federalism gives all provinces control over education and social services, which Québec has managed with an eye to preserving its distinct identity. For example, Québec has developed an expansive daycare program that is unique within Canada. In addition, the federal system is also asymmetric, allowing Québec greater policy space than enjoyed by other provinces. For example, Québec operates its own contributory public pension, the Québec Pension Plan, while the rest of the country relies on the Canada Pension Plan, which operates through joint federal government and provincial agreement.[66]

Québec has also negotiated a level of control over immigration that is unique amongst the Canadian provinces. The Gagnon-Tremblay-McDougall Agreement allows the province to select economic immigrants coming to the province, allowing Québec to give priority to immigrants who speak French. The province also has full control over immigrant integration policy and has used this control to pursue an integration policy that emphasizes integration into a majority francophone society.[67] Québec's approach to immigrant integration has often deviated from the multicultural approach that characterizes immigration policy in much of the rest of Canada. While federal politicians have expressed opposition to aspects of Québec's approach to religious diversity, such as its restrictions on provincial public servants' right to wear religious symbols, they have generally respected Québec's jurisdiction to pass such legislation.

There is further broad acceptance of official bilingualism in Canada, protecting the use of French within federal institutions, though there is less public support for bilingualism in Western Canada.[68] Since the mid-1960s, the federal government has put considerable effort into making the federal civil service bilingual, ensuring that language is not a barrier to Québécois' and other French-speaking Canadians' access to federal government jobs. The federal government has also funded bursary programs, such as

the Explore program, that have sought to increase the number of Canadians who can speak both official languages.[69] Despite the funding of such programs, the number of bilingual Canadians only grew slightly over the 2011–16 period.[70]

ETHNORACIALIZED MINORITIES | SCORE: 7

Multiculturalism has become deeply embedded in Canadian culture, at least in English-speaking Canada, and has contributed to a more inclusive form of Canadian national identity.

As we saw in Section I, the Canadian Charter of Rights and Freedoms (1982) protects basic freedoms but also allows significant limitations that restrict the strength of those guarantees. In practice, action on anti-discrimination remains extensive. On a number of issues, the Supreme Court has been able and willing to protect minority rights. The courts have upheld criminal provisions banning hate speech and have generally protected religious exemptions to dress codes. This protection includes striking down a decision by the Conservative government in 2015 to ban niqabs from citizenship ceremonies.[71]

The multiculturalism program has been consequential. Judged by its original goals, the multicultural approach to diversity has been a comparative success. It has helped change the terms of integration for immigrants, which has helped strengthen their sense of attachment to the country. In addition, multiculturalism has become deeply embedded in Canadian culture, at least in English-speaking Canada, and has contributed to a more inclusive form of Canadian national identity.

Nonetheless, the limits of multiculturalism have also become apparent over the years. The policy has not eliminated racial discrimination in Canada, and, at times, the focus on the affirmation of difference and anti-racism initiatives has been displaced by a growing emphasis on integration and the creation of active citizens with an attachment to Canada.[72] Moreover, the commitment to diversity seems fragile at times, most recently in the case of Muslim Canadians, arguably the least popular religious minority in the country.[73] The Conservative government, which held power from 2006 to 2015, introduced a ban on the wearing of the niqab during citizenship ceremonies and passed the Zero Tolerance for Barbaric Cultural Practices Act (2015), which used criminal and immigration law to target practices associated with Muslim immigrants.[74] While the ban on the niqab during citizenship ceremonies was struck down by the courts as noted above, and references to "barbaric cultural practices" were removed from the Act by the subsequent Liberal government, the racialized stereotypes on which it was founded undoubtedly persist.

These issues have been most heated in Québec. As we saw in Part I (2), Québec rejected the multicultural approach in favour of interculturalism. In the early years, there was considerable debate about whether federal multiculturalism and Québec interculturalism actually differed much on the ground. In the 2000s, however, the differences were magnified by the growing salience of religion. Québec has come to define secularism as a central feature of Québec culture, and many Québécois fear secularism is undermined by the greater religiosity of some minorities. In 2019, the government of the Coalition Avenir Québec succeeded in passing the *Loi sur la laïcité de l'*État (Law on the Secularism of the State), which prevents new public servants in positions of authority, including teachers, police officers and judges, from wearing visible religious symbols during working hours.[75] It also requires faces to be uncovered to both give and receive certain public services. To pre-empt legal challenges, the government took the dramatic step of invoking the notwithstanding clause, shielding the legislation from

Charter challenges based on religious freedom and religious equality for five years. The law has a disproportionate impact on Muslim women who choose to wear hijabs or niqabs, though Sikh men who choose to wear turbans and Jewish men who choose to wear kipahs are also negatively affected. Though the law was opposed by two opposition parties in the provincial legislature (the Québec Liberals and *Québec solidaire*), support by both parties' versions of legislation limiting civil servants and those receiving public services from wearing religious symbols makes it likely that this legislation will survive future governments.

Finally, recent practice suggests that the employment equity programing established by the federal government does help, even though it applies only to federally regulated employers, a small portion of the total. In the federally regulated private sector, the representation of racialized employees did meet the labour-market availability threshold.[76] Equity measures also matter in the public service. National data from 2011 found no wage gap between Canadian-born and immigrant men in the public service but did find a 4.1 percent gap in favour of Canadian-born men in the private sector. However, Canadian-born women earned more than immigrant women in both sectors.[77]

INDIGENOUS PEOPLES | SCORE: 4

As we have seen, Indigenous Peoples have never been recognized as founding peoples of the country called Canada or given the same constitutional protections for their languages and traditional beliefs as English and French Canadians have. Although decisions of the Supreme Court, including those discussed earlier, have breathed considerable life into the idea of Aboriginal and treaty rights, much is left open for determination in practice through ongoing legal and political processes.

Competing sovereignty claims have underpinned Indigenous-settler government relations. Despite commitments to reconciliation, Canadian governments have been reluctant to acknowledge Indigenous sovereignty claims when such claims conflict with their own. Canadian courts have demonstrated unwavering support for Crown sovereignty, interpreting s. 35 in ways that divest Indigenous rights claims of their wider political character by limiting s. 35 Aboriginal rights to a list of authentic practices, customs, and traditions that were integral to distinctive cultures at the time of European contact.[78]

The failure to acknowledge Indigenous sovereignty has led to conflict over resource and other development projects that affect Indigenous lands. Significant court rulings in Canada have protected Indigenous land rights (Delgamuukw v. British Columbia). In Tsilhqot'in Nation v. British Columbia, the Supreme Court recognized Indigenous title to unceded traditional lands but also set out grounds on which that title could be overridden by public interests. The result has been a high level of uncertainty and recurring conflicts during negotiations over resource development projects.[79] While the Canadian government has stated its desire that negotiations be based on the principle that Indigenous nations should give free, prior and informed consent to development, in practice that principle has not been a basis for negotiations. The Haida Nation v. British Columbia (Minister of Forests) (2004) case recognizes a duty to consult with Indigenous nations when projects affect their territory but does not grant First Nations a veto over such projects.[80] The extent to which the government needs to engage in consultations and the required level of response to nations' concerns is vague.[81] It is notable that a 2018

court challenge to the Trans Mountain pipeline development successfully claimed that consultations with Indigenous groups were inadequate but that after a second round of consultations, the Federal Court of Appeal rejected a second challenge by Tsleil-Waututh Nation that consultations had been inadequate.[82]

Resource revenue-sharing agreements between Indigenous nations and provincial or territorial governments exist to share public revenues generated from resource development, including royalties and taxes. In addition, since the late 1980s, Indigenous communities have entered into privately negotiated Impact and Benefit Agreements (IBAs) with industry to govern the extraction of resources from traditional territories, especially in the mineral-rich North. These agreements offer benefits such as employment quotas, financial compensation, joint venture opportunities and skills training to aid Indigenous communities. IBAs are often lauded for being in keeping with self-determination rights because they are most often negotiated without government participation. However, Cameron and Levitan contended that because IBAs contractually limit resistance to resource extraction through confidentiality provisions and privatize the Crown's duty to consult and accommodate where Indigenous rights may be infringed by resource development, a comprehensive federal policy to guide IBAs between Indigenous communities and industry partners must be developed by the federal government.[83]

Although most attention falls on issues of resource development, there are many other government commitments that have not been met, from the honouring of treaty terms to the federal government's failure to ensure clean drinking water in communities living on reserves (land set aside by the Canadian government for use by First Nations).[84] At the same time, persistent delays in negotiating agreements with Indigenous Peoples suggest a failure to commit the resources necessary to complete agreements in a timely manner. The Akaitcho land claims process, which negotiators had hoped to conclude in 2020, and which was sidelined by COVID-19, provides one example. Formal negotiations to complete the agreement commenced in September 2001.[85]

5. DATA COLLECTION

The Canadian Census collects extensive data related to pluralism. This includes data on language (both official and minority languages), identification with Indigenous Peoples (broken down by Indigenous nation), visible minority status (also broken down by identity), ethnic identification and immigrant status (broken down by country of origin). Anonymized census data is made publicly available and includes a broad range of variables such as geography, income and employment, data about household dwellings, education and marital status. Because the census is mandatory, these data are very reliable, allowing for sophisticated data analysis on pluralism by academics, policy-makers, advocates and activists.[86] In addition, data on minority groups can be broken down by gender in order to facilitate intersectional analyses.

Statistics Canada has also conducted a number of dedicated surveys related to pluralism. These include the Ethnic Diversity Survey, released in 2003; the Aboriginal Children's Survey, released in 2008; the Aboriginal Peoples Survey conducted every five years; the General Social Survey (GSS) conducted every five years; an immigration and diversity projection; and an occasional minority and second language education survey.[87]

As noted in a previous section, the Employment Equity Act requires the federal public service and employers in federally regulated industries (about 10 percent of the workforce) to report regularly on diversity amongst their employees and measures that they are taking to ensure proportional representation of both visible minorities and Indigenous persons.[88]

Despite these multiple sources of data, there is still a major gap in the adequacy of data collection among different minorities and Indigenous Peoples.

QUÉBÉCOIS | SCORE: 9

Data collection regarding Québécois in Canada benefits from norms surrounding the collection of regional and provincial data as well as data on language. As a result, most data sets in Canada, including the census data mentioned above, can be used to facilitate analysis focussed on Québec as province, francophones across all of Canada or francophones within Québec. Recently, the Government of Québec used Statistics Canada data and projections (coupled with a 2018 survey on language spoken at work) to argue that the use of French was declining in Montréal.[89] This serves as an instance where Statistics Canada data has been used to inform debate on a sensitive subject matter in the province.

ETHNORACIALIZED MINORITIES | SCORE: 7

The Canadian Census collects data on whether individuals are immigrants, what languages they speak (including non-official languages) and whether individuals identify as "visible minorities."[90] This allows for analysis of differences in socio–economic conditions between immigrants and non-immigrants (as well as with respect to second-generation immigrants), minority language and ethnoracial identities. The potential for analysis of these differences using government data is limited to those socio–economic categories surveyed in the census such as education and income. Analysis of other differences depends upon dedicated government studies like the ones noted above, which are conducted at less frequent intervals, or as academic and other non-governmental research. It should be noted, however, that the census groups some "visible minorities" much more broadly than others.

Nonetheless, there are significant gaps in data collection. COVID-19 brought Canada's failure to track health inequities among racialized people into stark relief, highlighting the fact that public health authorities do not routinely collect ethnicity and race-based health data. Indeed, there was initially some resistance to gathering that data among provincial and federal authorities. In April 2020, Chief Public Health Officer of Canada Dr. Theresa Tam stated that there were "no plans" to add more social determinants of health to the case reporting form used to collect COVID-19 data, while Dr. David Williams, Ontario's then chief medical officer, stated that those most at risk were the elderly and people with underlying health issues, regardless of race or ethnicity.[91] This resistance was particularly troubling given the early data coming out of the United Kingdom (UK) and the US showing that racialized minorities were harder hit by the virus. Though the first case of COVID-19 was reported by Health Canada on January 25th, 2020, both the federal government and Ontario government waited until June to announce that they

had begun working on plans to collect ethnicity and race-based data.[92] In October 2020, Statistics Canada released data echoing the findings in other countries. Using neighbourhood-level data from the 2016 census, the research confirmed the disproportionate impact of COVID-19 on neighbourhoods with higher percentages of racialized minorities.[93]

While much harder to find, there is some individual-level data confirming disparities in COVID-19 infections based on racialized status. For example, the City of Toronto began collecting data on ethnoracial identity in May 2020. As of May 31th, 2021, the rate of COVID-19 infections was two-and-a-half times higher among those identifying with racialized groups compared to white people, while the rate of hospitalization was 2.7 times higher after age standardization. Members identifying as Latin American had the highest overall case rate among all groups followed by people identifying as Arab, Middle Eastern or West Asian; Southeast Asian; South Asian or Indo-Caribbean; and black. Data on Indigenous Peoples were not reported.[94] Data from Manitoba, the first province to start collecting race-based data, indicates that 51 percent of people testing positive for the virus between May 1st to December 31th, 2020, were black, Indigenous and people of colour (BIPOC), though they constituted only 35 percent of the population. People identifying as African, Filipino, North American Indigenous and South Asian were overrepresented in the COVID-19 case count data, while white individuals were underrepresented by 16 percentage points.[95]

Data on the criminal justice system are problematic. The overrepresentation of Indigenous and black people in prisons is well documented because correctional data on race and Indian status are consistently collected. However, the availability of other race-based criminal justice statistics is limited. In many cases, police simply do not collect the information, and when they do, they often refuse to report it.[96] Information about victims/offenders has been routinely withheld; a study in 2014 concluded that close to 60 percent of Canadian police forces withhold that information as regular police practice.[97] In the wake of a troubling Ontario Human Rights Commission report finding that black individuals are 20 times more likely than white individuals to be shot and killed by Toronto police, the Toronto Police Board committed to collecting and reporting race-based data, starting with "use of force" incidents in January 2020.[98] Similar problems mark efforts to track the existence of a racialized school-to-prison pipeline; there is little empirical research tracking school discipline or its consequences for racialized youth.[99] However, a 2020 review of the Peel District School Board in Ontario, where 83 percent of students are racialized, found that black students received 22.5 percent of all suspensions yet comprised only 10.2 percent of the student population. The report also indicated that black male students were particularly overrepresented among student suspensions, expulsions, exclusions from the classroom and streaming into lower education tracks.[100]

INDIGENOUS PEOPLES | SCORE: 4

There are particular gaps in data collection regarding Indigenous communities and even instances of state actors misrepresenting data or failing to properly use and report data. In tracking the high school graduation rate of on-reserve students between 2011 and 2016, Indigenous Services Canada (ISC) reported a 46 percent graduation rate. According to Canada's Auditor General, however, the actual graduation rate was 24 percent.[101] The ISC had excluded all students who withdrew from high school in grades 9, 10 and 11 from its calculation.[102]

Indigenous data collection is marked by the failure to consistently differentiate between individuals living on-reserve and off-reserve, to disaggregate First Nations data to the community level and to employ uniform definitions across databases.

More generally, Indigenous data collection is marked by the failure to consistently differentiate between individuals living on-reserve and off-reserve, to disaggregate First Nations data to the community level and to employ uniform definitions across databases.[103] Federal and provincial authorities do not gather data on Indigenous identity in a coordinated and consistent manner. Failing to do so can have grim consequences: the absence of data on Indigenous identity in the child welfare system has been cited as the primary reason why the National Inquiry into MMIWG could not definitively determine the number of individuals who were murdered or disappeared.[104]

In the realm of health, government failures to collect ethnicity and race-based COVID-19 data are even more troubling given that Indigenous people were six-and-a-half times more likely than non-Indigenous persons to be admitted to an ICU during the 2009 H1N1 pandemic.[105] Despite this fact, no agency existed to reliably record the correlation between Indigenous identity and COVID-19 at the start of the pandemic, with the majority of Indigenous Peoples, including those living on reserve, relying on public health authorities for care.[106] Manitoba was the first province to ask patients to self-identify as First Nations, Métis or Inuit on April 3rd, 2020, after entering into a data sharing agreement with the province's First Nations leadership.[107] Early data collected by the ISC did not include Indigenous Peoples living in urban and rural areas, or Métis persons, despite outbreaks in communities with large Métis populations, such as La Loche in Saskatchewan.[108] Additionally, the COVID-19 data reported by the ISC did not align either with information coming out of Indigenous communities or with publicly available information. The latter suggested that cases in Indigenous communities were three times higher than the number reported by the ISC.[109]

The COVID-19 crisis also highlights the complexities inherent in the relationship between Indigenous sovereignty and data collection. While British Columbia health authorities withheld COVID-19 data from local Indigenous communities, Manitoba's Indigenous leaders invoked their data sovereignty to deny access to their own people.[110] There is a need to develop data collection strategies that respect the self-determining character of Indigenous Peoples and the Ownership, Control, Access, and Possession (OCAP) Principles. The OCAP principles, which ensure First Nations control over data collection processes and the way in which data are used and stored, are central to the mandate of the First Nations Information and Governance Centre, a non-profit First Nations organization whose mandate is to build capacity and provide credible information on First Nations.[111] The need to incorporate OCAP principles into data collection strategies, whether through increasing the capacity of First Nations to collect their own data or through data sharing agreements with government partners, is also being widely recognized by other organizations, including the Canadian Institute for Health Information and British Columbia's Office of the Human Rights Commissioner.[112]

6. CLAIMS-MAKING AND CONTESTATION

The ability of groups to make claims is a critical component of a healthy pluralistic society. All the major minority groups in Canada actively seek to advance their interests and concerns in political debate, but their ability to do so varies significantly among them.

QUÉBÉCOIS | SCORE: 9

The reality that winning in Québec was pivotal to winning federal elections for much of twentieth century gave federal political parties a powerful incentive to be responsive to the concerns of Québécois voters.

The claims of Québécois in the federal system have been advanced through electoral politics and federal–provincial relations. The early history of separatist protest did include episodes of violence and the subsequent military suppression of civil rights. However, after the emergence of a major sovereigntist party, the Parti Québécois, advocacy of Québec separatism has proceeded through peaceful means, including two referenda on separation. Advocacy of Québec nationalism within the federation affords Québécois a nation-building tool to protect their distinctive culture, enhance the province's state capacity, and differentiate Québec from its provincial counterparts.[113]

Québec's central place in electoral and parliamentary politics ensures that governments are responsive to Québécois' concerns. The reality that winning in Québec was pivotal to winning federal elections for much of twentieth century gave federal political parties a powerful incentive to be responsive to the concerns of Québécois voters.[114] The Québec provincial government also acts as a powerful advocate for Québécois interests exerting an important influence over intergovernmental politics. Finally, expectations that appointments to the federal Cabinet will be broadly representative of Canada's regional diversity ensures that there are Québécois represented in the federal executive.

ETHNORACIALIZED MINORITIES | SCORE: 7

Ethnoracialized minorities have tended to advance their claims principally through electoral and judicial strategies. Their concentration in competitive constituencies in the Greater Toronto Area and the suburbs of Vancouver sensitizes parties to their concerns and ensures numerous candidates from their communities are elected to office. Increasingly, there is an expectation that ethnoracialized individuals be represented in both federal and provincial Cabinets, providing an additional avenue through which groups can assert their interests. Representation, however, is not uniform across different ethnoracialized minority groups, with some groups having a great deal of representation in federal and provincial Cabinets and others having little to none. In addition, racialized minorities, in particular, have relied on judicial processes to advance claims rooted in their cultural distinctiveness, especially their religious differences.

Ethnoracialized minorities also engage in protest politics. This form of claims making varies from group to group and even within groups. To take one example, Korean Canadians are noted for a style of claims-making that is both culturally and politically conservative. The Ontario Korean Businessmen's Association, one of Ontario's most vocal groups, routinely issues press releases, engages in public awareness campaigns and sends delegates to Parliament, along with organizing large-scale demonstrations championing the interests of small retailers.[115] By way of contrast, the Black Lives Matter movement has engaged in grassroots protest politics to highlight police surveillance and violence against black

While Black Lives Matter protests in Canada have not seen the same level of police violence as in the US, there have been instances in which such protests have been attacked by police, and distrust of the police amongst Black Lives Matter demonstrators is high.

Canadians.[116] State surveillance, to which other racialized groups have also been subject, limits dissent and activism, generating a dynamic between repression and activism.[117] This dynamic helps explain why recent immigrants, including black African immigrants, largely abstain from protest politics. The country of origin also matters. Research suggests that immigrants from repressive regimes are less inclined than both the local population and immigrants from less repressive regimes to engage in public activism.[118]

Despite such constraints, protests emerged in most Canadian cities in summer 2020 as part of the global Black Lives Matter response to the murder of George Floyd by Minneapolis police. Protests highlighted a number of instances of police violence against ethnoracialized people and Indigenous Peoples, including the killing of Chantel Moore in Edmunston, New Brunswick, and the death of Regis Korchinski-Paquet in Toronto. While Black Lives Matter protests (in 2020 and before) in Canada have not seen the same level of police violence as in the US, there have been instances in which such protests have been attacked by police, and distrust of the police amongst Black Lives Matter demonstrators is high.[119]

INDIGENOUS PEOPLES | SCORE: 5

Indigenous claims-making is marked by a mix of formal negotiation, litigation and protest politics. Activists have routinely engaged in blockades, barricades and demonstrations to protest developments on disputed lands. These efforts have not gone without violence, however. During the 1990 Oka Crisis in Québec, police used tear gas and concussion grenades, which instigated gun violence between police and Mohawk protestors. In 2012, the Idle No More campaign emerged in response to federal legislation that decreased Indigenous control over reserve lands and exempted many development projects from environmental assessment. The campaign erupted via social media, leading to national days of action that included demonstrations on Parliament Hill, blockades, train and traffic stoppages, and hunger strikes. The movement succeeded in forcing a meeting with then Prime Minister Stephen Harper and resulted in the negotiation of a declaration of commitment with both opposition parties to address a broad range of issues affecting Indigenous Peoples.[120]

While the federal government's land claims and self-government agreement processes exhibit a commitment to the negotiation of Indigenous self-government, there remains a gulf between the Canadian state and a growing Indigenous Resurgence movement that is turning its back on state engagement and the Canadian legal system in favour of a grassroots, non-statist path to self-determination.[121] This trend to claims making through protest has been highly contentious. Blockades set up in 2019 and 2020 by the Wet'suwet'en in protest of the Coastal GasLink Project in Northern British Columbia were dismantled by RCMP in tactical gear despite the protesters at the blockades being peaceful. Journalists were removed from the area by RCMP as the blockades were being dismantled.[122] The dismantling of these blockades triggered cross-country protests and blockades by Indigenous groups and their allies, including blockades of major rail lines across the country, the port of Vancouver and the BC Legislature.[123] In response to protests in Alberta held in solidarity with the Wet'suwet'en hereditary chiefs, the province passed the Critical Infrastructure Defence Act (2020).[124] Predicated on disrupting protest activities, the legislation authorizes fines and imprisonment for persons who block, damage or unlawfully enter places deemed to be essential infrastructure or obstruct

their construction and maintenance. Alberta's legislation is already facing a Charter challenge by the Alberta Union of Provincial Employees on the grounds that it violates the right to peacefully assemble and to engage in collective bargaining activities.[125]

Tensions have not been limited to the West of the country. In 2020, violent protests against Mi'kmaw lobster fishing rights in Nova Scotia saw vandalism and destruction of Mi'kmaw property and threats to individuals' safety by non-Mi'kmaw protestors.[126] These instances mark a troubling increase in violent conflict between Indigenous groups claiming rights and interests and police and non-state actors opposed to them.

PART III.
LEADERSHIP FOR PLURALISM
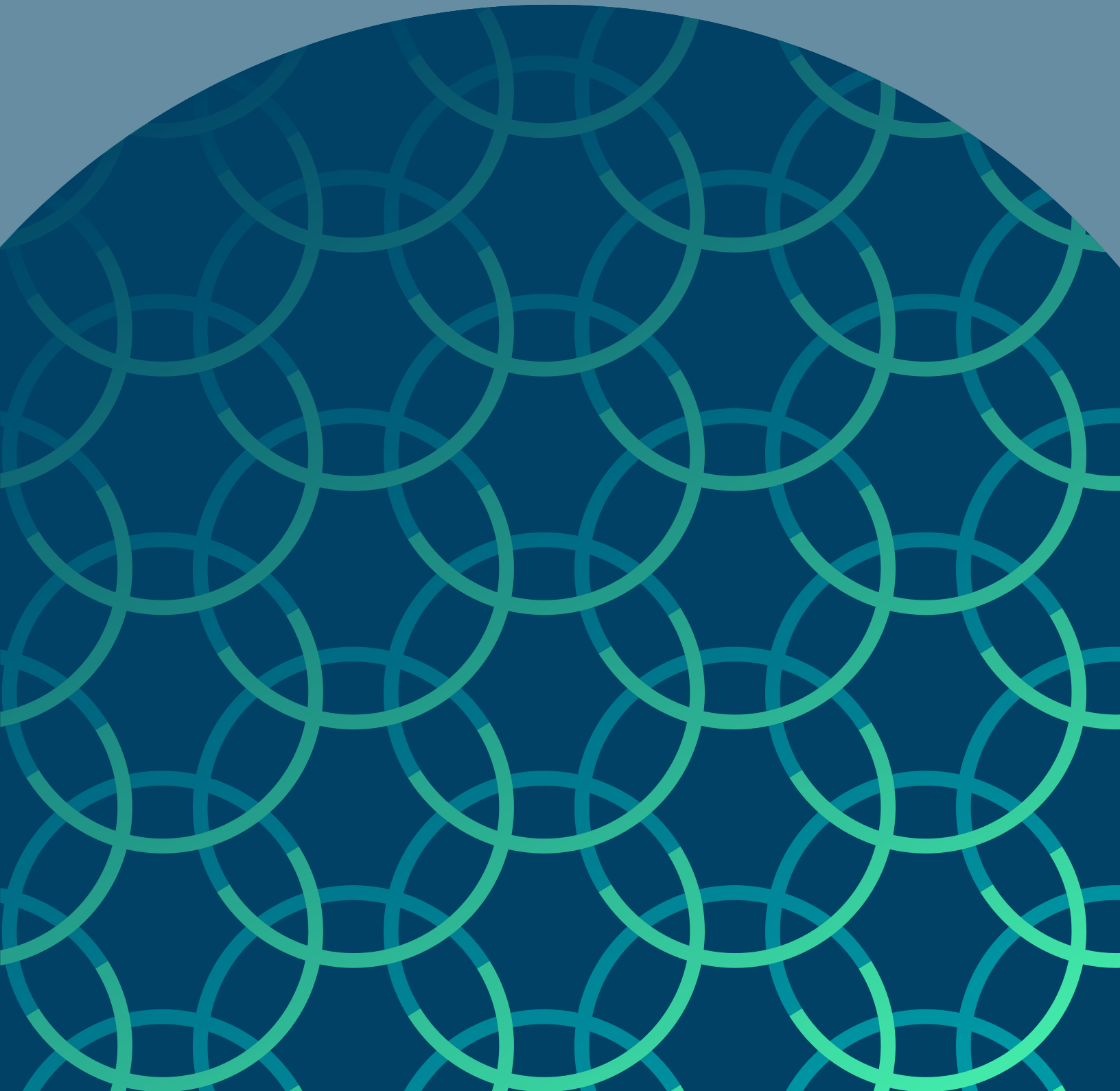
7. POLITICAL PARTIES

Building and maintaining a healthy pluralism requires leadership and support from across society. In Canada, elites in many sectors are supportive of pluralism in principle, and active leadership tends to come from institutions that have a serious self-interest in being responsive to minorities. Primary among these are political parties.

In Canada, active leadership for pluralism comes primarily from political parties. However, the level of engagement varies from one minority to another, depending in part on the size of the minority.

QUÉBÉCOIS | SCORE: 9

As Québec contains 78 of 338 seats in the Canadian Parliament, Canadian political parties have a strong incentive to be responsive to Québécois' interests. Prior to 1993 at least, the party that won large numbers of seats in Québec usually formed the government, which served to increase the incentives to pay attention to Québec issues.[127] This has manifested itself in several ways. Both Conservative and Liberal governments have recognized Québec's unique place in Canada (the Liberals doing so in 1995 and the Conservatives in 2006). Each of the major federal parties has made a significant effort over the past two decades to appeal to Québécois voters. For the Conservatives, this took the form of commitments to recognize Québec as a nation, give it a seat on the United Nations Educational Scientific and Cultural Organization (UNESCO), and respect provincial autonomy in areas of provincial jurisdiction.[128] For the New Democratic Party (NDP), efforts to win votes in Québec led to promises to allow Québec to opt out with compensation of any new federal programs in provincial jurisdiction and to respect a "50-plus-1" vote for Québec sovereignty in the event of a third referendum on the matter.[129] The Liberals, in contrast, have relied on their traditional strength in Québec (especially amongst federalists) to make the case that they have a unique ability to represent those Quebecers who want Québec to have a strong place within Canada.

The need to win seats in Québec leads all parties to try to ensure that Québécois individuals are represented as prominent members of their parties. The Liberal Party has a tradition of alternating between anglophone and francophone (or at the very least Québec-based) leaders. While the Conservatives and NDP do not have the same tradition, they regularly recruit high-profile Québécois candidates and often designate Québec "lieutenants" to ensure the province is represented with the party leadership. Recent examples of such individuals include Denis Lebel for the Conservatives and Alexandre Boulerice for the NDP.

The Canadian party system has seen regional parties emerge that have distinct positions on the status of Québec. The Bloc Québécois, a Québec separatist party, held the plurality of the federal seats from Québec from 1993 to 2011. The party struggled in the 2011 and 2015 elections before re-emerging as the second largest federal party in Québec in 2019. In contrast, the Reform Party emerged during the late 1980s and early 1990s in part as a reaction to efforts by the Progressive Conservative government at the time to recognize Québec's distinct identity.[130] The party saw most of its success in Western Canada resulting from strong positions it took against any recognition of Québec as different from the other provinces in the country. After rebranding as the

Over the past three decades, Canadian parties have been generally supportive of multiculturalism.

Canadian Alliance, the party merged with the Progressive Conservatives in 2003 to form Canada's current Conservative Party. While the majority of members of the Conservative Party came from the Canadian Alliance, strategic considerations forced the Conservative Party to abandon any public hostility to Québec.

The controversy over secularism in provincial politics has also been addressed by the federal parties and demonstrates the need for parties to be careful in the way they approach Québécois interests. While the leaders of the Conservatives, Liberals and NDP all objected to Québec's secularism legislation banning public sector workers from wearing religious symbols, none committed to helping court challenges against the legislation, including the NDP, whose leader, Jagmeet Singh, wears a turban as part of his own religious practice. The Liberals came the closest to suggesting that they might consider challenging the law but have not done so to date.[131] This case illustrates the ways in which recognizing and giving space to the cultures of different minorities can be in tension.

ETHNORACIALIZED MINORITIES | SCORE: 8

Canadian political parties also have strong incentives to be responsive to the interests of ethnoracialized minorities. The large foreign-born population, the high rate of immigrants' citizenship acquisition and the concentration of ethnic minorities in swing constituencies mean that parties have to make efforts to win immigrant minority votes.[132] Cross-partisan support for multiculturalism comes through in Figure 7.1, which captures party manifestos. It shows the percentage of statements made in opposition to multiculturalism in party manifestos subtracted from the percentage of statements supporting multiculturalism. The figure shows that, over the past three decades, Canadian parties have been generally supportive of multiculturalism. At no point over this period did statements in opposition to multiculturalism outnumber statements in support of it. There are periods in which the party manifestos are silent on multiculturalism, notably the Reform Party's 1997 platform. Opposition to multiculturalism in the manifestos, however, is rare and in all but one case was outweighed by statements supporting multiculturalism. The exception is 2015 where Conservative manifesto statements opposing multiculturalism were equalled by statements supporting it.

Figure 7.1
Support for multiculturalism in Canadian party manifestos
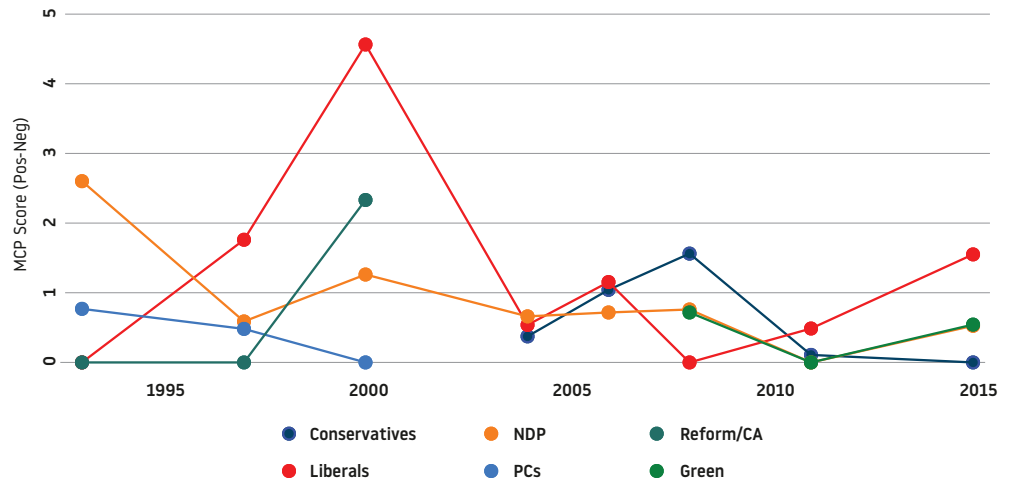
Note: The figure shows statements in support of multiculturalism (as a percentage of all statements in the manifesto) minus the percentage of statements opposed as measured by the Manifesto Project.
Source: Manifesto Project Data Collection (2020)[133]

Manifesto Project data provide a broad overview of party attitudes, but a more detailed look at party positions provides more nuance. The party with the strongest connection to ethnoracialized voters is the centrist/centre-left Liberal Party. The Liberals have drawn on their history as the party that adopted multiculturalism to make appeals to immigrant communities. They have consistently gained strong support from immigrant and ethnic minority communities.[134] The Liberals have also consistently sought to ensure that minorities have been well represented amongst their candidates for office and in Cabinet appointments when they are in government. The Liberals appointed the first Chinese Canadian Cabinet minister in 1993 and had the first three South Asian Members of Parliament (MPs) elected to Parliament in the same election. After the 2015 election, the Liberals appointed four racialized MPs to Cabinet and added a fifth in 2017.

The social-democratic NDP has also attempted to win support in diverse communities. Although the party has been consistently supportive of multiculturalism, their support amongst immigrants and ethnic minorities has consistently trailed that of the Liberals. However, the NDP was the first major federal party to see a racialized minority person seek the party leadership (Rosemary Brown in 1975) and the first to select a racialized minority individual as leader when Jagmeet Singh won the party contest in 2017. In the 2021 election, the Green Party was also led by a member of a racialized minority, Annamie Paul.

The group of parties for which responsiveness to ethnoracialized minorities is most complicated are parties of the right and centre-right. Political imperatives have often forced the centre-right to take on positions supporting ethnoracial and cultural diversity. At the same, pressure from anti-immigrant and anti-multiculturalism voters have at times led some right parties to express hostility to either immigration or aspects of Canada's multiculturalism policy. In the 1980s, the Progressive Conservative government

expanded multiculturalism policy as part of an effort to appeal to ethnic minorities.[135] In the 1990s, the sudden emergence of the populist Reform Party, which was opposed to multiculturalism, pulled conservatives away from a full embrace of diversity. In the 2000s, however, the various conservative parties merged to form the current Conservative Party, and the party once again sought to increase its support amongst ethnic minorities, especially voters with conservative views on fiscal policy and social issues. In government, the Conservatives issued formal apologies to recognize historic wrongs to many minority groups, including an apology for the head tax levied on Chinese immigrants from the 1880s to the 1920s.

Having said that, Conservative appeals to immigrants still do not automatically translate into enthusiasm for the multicultural approach to diversity.[136] Growing anti-Muslim sentiment on the right of Canadian politics nudged the Conservative into a less accommodating strategy. Before the 2015 election, the Conservatives banned niqabs from citizenship ceremonies (later overturned in the courts), and during the election, they proposed a "cultural barbaric practices hotline" designed to encourage people to report practices that transgressed "Canadian values," such as forced marriage. In general, Conservative efforts to win the votes of ethnoracialized groups have been highly segmented, with the party directing its appeals to social and fiscal conservatives among minority communities.

It is also worth noting that the 2019 federal election saw the emergence of a small right-wing populist party, the People's Party of Canada, which advocates significant cuts to immigration levels and the abolition of the Canadian Multiculturalism Act. While the People's Party received less than 2 percent of the vote in 2019 and did not win a seat in Parliament, it more than doubled its vote count in 2021, receiving 4.9 percent of the popular vote but again failing to win a seat in Parliament. It is unclear whether the party will be strong enough to run competitive campaigns in future elections.

In most provinces, the dynamics around ethnoracialized minority representation play out in ways similar to the federal level. Large numbers of ethnoracialized minorities in swing ridings in provinces such as British Columbia and Ontario give parties a strong incentive to be responsive to the interests of ethnoracialized minorities. As we have seen, however, Québec is an exception. There is broad cross-partisan support amongst Québec's provincial parties for placing restrictions on the religious symbols that Québec civil servants and those accessing provincial public services can wear.

INDIGENOUS PEOPLES | SCORE: 7

Parties' responsiveness to and representation of Indigenous Peoples has been the weakest of the three groups discussed in this report. The same electoral system dynamics that create incentives for parties to respond to the interests of Québécois and ethnoracialized minorities applies less to Indigenous Peoples, who make up a much smaller proportion of the Canadian population (about 4 percent). There are far fewer ridings with majority or plurality Indigenous populations. This, coupled with historically lower voter turnout in Indigenous communities, has meant that parties have been less responsive to the concerns of Indigenous Peoples than the concerns of Québécois and ethnoracialized minorities.[137]

The combination of the Idle No More movement's Rock the Vote Campaign and efforts by AFN's Chief Perry Bellegarde to get Indigenous Peoples to vote led to an increase in Indigenous voter turnout from 47 percent in 2011 to 62 percent in 2015.

In recent elections, however, political attentiveness to Indigenous voters has increased. The combination of the Idle No More movement's Rock the Vote Campaign and efforts by AFN's Chief Perry Bellegarde to get Indigenous Peoples to vote led to an increase in Indigenous voter turnout from 47 percent in 2011 to 62 percent in 2015. There was a corresponding rise in representation of Indigenous candidates in the federal Parliament with 10 elected in 2015.[138] The evidence on candidate recruitment suggests that parties are approaching Indigenous candidate recruitment in the same way they approach ethno-racialized minority candidate recruitment, with an emphasis on recruiting Indigenous candidates in ridings with large Indigenous populations.[139]

Parties' responsiveness to Indigenous Peoples on issues has also improved in past elections. In 2015, the main point of contention between the parties was how to respond to the Truth and Reconciliation Commission on residential schools' 94 recommendations, with the Conservatives promising to review the recommendations and Greens, Liberals and NDP committing to implement all 94 recommendations. The Greens, Liberals and the NDP also committed to calling an inquiry into MMIWG, which was set up by a Liberal government in 2016.[140] In 2019, the Conservatives, Greens, Liberals and NDP all made commitments to reconciliation that varied from the dismantling of the Indian Act (Green Party), to fully implementing UNDRIP (the Liberals and the NDP), to developing an action plan in response to the report of the National Inquiry into MMIWG (the Conservatives). Both the Conservatives and Liberals, however, maintained that they would seek judicial review of the Canadian Human Rights' Tribunal ruling that support for children's services in Indigenous communities are inadequate.[141]

In the last two elections Canada's major parties have avoided explicit opposition or hostility towards the interests of Indigenous Peoples. However, the Conservatives and Liberals, in particular, have been less willing to make Indigenous issues a priority when they conflict with other priorities, such as resource development. There also remains a gap between the commitments that parties make during election time on Indigenous issues and their willingness to make difficult trade-offs to follow through with such commitments once in government. In addition, the discourse of reconciliation employed by parties may not accord with Indigenous conceptions of reconciliation, which are based on nation-to-nation dealings. There is a myriad of examples where campaign promises were not met or were undermined once the party in question took office. For example, the Liberal's commitment to end all long-term water boil advisories by 2021 has failed to come to fruition. While 101 long-term advisories had been lifted as of March 2021, 58 remained.[142] In addition, the promise to fully implement UNDRIP was tempered once the Trudeau government took office and rejected the possibility that free, prior and informed consent could impose a higher duty on the government than the duties articulated in Canada's domestic jurisprudence.[143]

8. NEWS MEDIA

A. Representation

The basic framework of the Canadian media environment is broadly friendly to pluralism. Canada's Broadcasting Act states that while the broadcasting system will operate

primarily in the English and French languages, broadcasters should reflect "the linguistic duality and multicultural and multiracial nature of Canadian society and the special place of aboriginal Peoples" through both its programming and employment.[144] This legislative mandate requires that both the Canadian Broadcasting Corporation (CBC, the public broadcaster) and the Canadian Radio-television and Telecommunications Commission (which grants licenses for radio and television broadcasts) act in a way that reflects Canada's cultural diversity, an objective that is pursued through a two-pronged approach involving the creation of programing by and for specific groups and a more general effort to reflect diversity across all media platforms.[145]

QUÉBÉCOIS | SCORE: 9

The CBC is split into English-speaking and French-speaking organizations. In 2019, French-language media included the national public broadcaster, Radio-Canada, more than 10 daily newspapers and approximately 30 papers publishing outside of Québec. Add to this approximately 220 community, regional and national radio stations broadcasting in French, 27 percent of which were located outside of Québec, and close to 50 community, private and public television stations, one-third of which were located outside of Québec.[146]

ETHNORACIALIZED MINORITIES | SCORE: 7

Canada's approach to ethnic broadcasting has resulted in a wide range of licensed ethnic networks subject to the requirements that 60 percent of their programming be aimed at an ethnic minority community and 50 percent of their programing be delivered in a non-official language.[147] The proliferation of ethnic media does not owe its growth exclusively to Canada's ethnic broadcasting policy, however. Despite the legislative mandate in the Broadcasting Act, mainstream news media outlets focus overwhelmingly on national news that rarely showcases ethnoracialized minorities.[148] In 2015, OMNI, Rogers Media's multicultural television network, eliminated its multilingual local news to address financial constraints.[149] Dissatisfaction with the news coverage offered by mainstream outlets has served as a factor in the growth of third-language and ethnic media, whose content focuses more on source countries and issues of relevance to specific ethnic groups.[150]

The content-driven division of labour between mainstream and ethnic news outlets is not the only divide between these news sources. While both the Broadcasting Act and employment equity imperatives mandate that the staff of the CBC reflect Canada's diverse population, the public broadcaster has struggled to diversify its workforce, launching a Diversity and Inclusion Plan in 2018. According to the corporation's 2019 *Employment Equity Report*, 13.3 percent of permanent employees were "visible minorities."[151] However, the report did not provide data detailing how many of these employees held executive or senior management positions.

In summer 2020, mainstream news outlets came under intense scrutiny for their coverage of Black Lives Matter protests, with critics attributing coverage to white editors creating content for a white audience.[152] In a letter signed by 494 current and former employees, the CBC was called on to dismantle structural racism in the corporation and

address the fact that young, racialized workers were disproportionately represented among its temporary workforce.[153] In a press release, the CBC committed that half of all new hires for executive and senior management positions across CBC/Radio-Canada would be Indigenous, racialized or disabled persons and that promotion and retention rates for these groups would be doubled by 2021–22.[154] Nevertheless, diverse news perspectives tend to be siloed; mainstream news sources pay limited attention to ethnoracialized groups, while the ethnic press is largely silent on stories of significant national interest and pays little attention to news affecting other ethnic minority, creating "multiple solitudes."[155]

INDIGENOUS PEOPLES | SCORE: 7

Canada's Indigenous Broadcasting Policy encourages the importance of self-ownership and the preservation of Indigenous cultures and languages. While the CBC broadcasts in eight Indigenous languages in Northern Canada and runs an online digital platform offering news aimed at Indigenous audiences, there are hundreds of Indigenous radio stations.[156] Additionally, substantial government financial support is provided to the Aboriginal People's Television Network, the world's first national Indigenous TV network, which is run by Indigenous Peoples and must be carried by all TV service providers.[157] According to its 2019 *Employment Equity Report*, Indigenous Peoples, like racialized minorities, were underrepresented among CBC's permanent employees, constituting only 2.1 percent of that workforce despite having Indigenous media platforms.[158]

B. Prominence of Pluralistic Actors

The mainstream news media are by no means uniformly enthusiastic in their presentation of multicultural diversity. One study of newspapers' treatment of multiculturalism during the first decade of the 2000s highlights a contrast between public enthusiasm for the idea and a long litany of newspaper complaints about the threat of relativism, multiculturalism's alleged lack of "limits," its divisiveness, and a supposed link with the sin of political correctness. The author was led to muse: "That multiculturalism has continued to enjoy broad support from Canadians speaks to a surprising degree of resistance of public opinion to elite influence."[159] Nevertheless, the public may be less immune to media frames that routinely fail to represent or misrepresent immigrants, ethnoracialized minorities and Indigenous Peoples.[160]

QUÉBÉCOIS | SCORE: 6

While there is not a great deal of interaction between Canada's English and French news media outlets, coverage of Québec in English Canada at times involves problematic stereotypes of Québécois society. Potvin provided several examples of instances in the aftermath of the 1995 Québec referendum on sovereignty where English media stereotyped the Québec separatist movement as intolerant.[161] Ethnic minority presses covering the referendum offered somewhat different coverage. Though overwhelmingly anti-separatist, these presses paid more attention to concerns about cultural survival and the plight of ethnocultural minorities in a sovereign Québec.[162] More recently, the news magazine *Maclean's* got into trouble for printing a column by public intellectual

In the political realm, racialized minority political candidates receive less media attention, more negative media attention and are often portrayed as culturally determined by their socio–demographic backgrounds.

Andrew Potter that stereotyped Quebecers for lack of social solidarity based on flimsy evidence.[163] In English Canada, coverage of debates over secularism or language laws designed to give priority to the French language tend to focus on the measures as intolerant with limited discussion of the more nuanced debates occurring in Québec over the preservation of the French language and Québécois culture. While the media landscape in Québec provides space for a variety of viewpoints on these issues, there is limited interaction between Québec's media discourse on language and culture and the English Canadian discourse on Québec language and culture, though the latter have often accused the former of bias in its coverage of separatist issues.[164]

It is important not to overstate the degree to which stereotypes of Quebecers abound in English-speaking news sources, however. Among all the provinces, Québec and Alberta likely have the most strained relationship. Against this backdrop, Boily and Epperson examined perceptions of Québec in Alberta's two principal dailies, the *Edmonton Journal* and the *Calgary Herald*.[165] Building on the work of Sylvie Lacombe, who traced a hardening of opinion against Québec in the *National Post* after 2005, Boily and Epperson's qualitative analysis of 202 editorials, letters to the editor and contributions by political commentators analyzed media coverage of four events: the election of Liberal Jean Charest in 2003, the 2006 Harper government's motion recognizing Québec as a nation, the 2008 prorogation of Parliament, and the election of Pauline Marois and the Parti Québécois in 2012. The authors found that while Charest's election was positively received, media representations of Québec became more negative in the Alberta dailies as the later three events unfolded, with some commentators advancing a "hostage thesis" that accused Québec of holding Canada captive and wrestling monies from the federal government, and hence Alberta, to fund social services in Québec.[166] Negative media coverage was highest in relation to the Parti Québécois' 2012 election campaign, where the party was characterized as intolerant, xenophobic and racist.[167] However, the research also showed that across all four events, the majority of articles about Québec were either descriptive or indifferent in nature. Thus, while "Quebec bashing" occurred across all four events, it was "never the dominant voice."[168]

ETHNORACIALIZED MINORITIES | SCORE: 5

Immigrant minorities are often tied to negative news contexts such as deviance, crime and cultural or religious practices that contradict Canada's fundamental values.[169] The incidence of such negative framing varies across categories of immigrants, with economic migrants receiving the most sympathetic coverage. This preference helps explain Wallace's finding that, on some dimensions, the media frames immigrants more positively than the native-born on deservingness for social support, a view driven by perceptions of immigrants as hard-working.[170] However, refugees arriving in Canada on humanitarian grounds are characterized more negatively by media, despite the fact that most refugees enter Canada through legal channels.[171] Gender also serves as a dividing line between religious minorities and the dominant society in many news stories. Muslim women are routinely characterized as imperiled and in need of saving from Muslim men, who are depicted as dangerous, hyperpatriarchal threats to national security.[172] In the political realm, racialized minority political candidates receive less media attention, more negative media attention and are often portrayed as culturally determined by their socio–demographic backgrounds.[173]

Missing and murdered Indigenous women receive three-and-a-half times less coverage than missing and murdered white women.

Stereotypes are also perpetuated by those who serve as expert news sources. Cukier and Jackson's work surveyed expert guest segments on three Canadian public affairs programs aired by the CBC and the Ontario Educational Communications Authority. Racialized minorities made up only 11.5 percent of all expert sources and accounted for 9 percent of total guest appearances, despite comprising 19.1 percent of the Canadian population.[174] Racialized women, though comprising 10 percent of the total population, were "virtually invisible" as expert sources, accounting for 4.1 percent of all experts and making 2.8 percent of all guest appearances. Additionally, while all women were more likely to appear as experts on "soft" stories such as health and education, racialized women made up only 2.3 percent of the expert appearances in the business/economics and politics/government categories.[175]

INDIGENOUS PEOPLES | SCORE: 3

Indigenous Peoples are seriously underrepresented and misrepresented in mainstream media content. Wallace's study compared media framing of immigrants and Indigenous Peoples and found that the media depicts Indigenous Peoples as less deserving of social support than both immigrants and the majority population.[176] Indigenous Peoples are rarely held out as experts, constituting only 1.5 percent of expert news sources and making 0.8 percent of all guest expert appearances in the Cukier and Jackson study.[177] Indigenous erasure occurs in other ways. Though they are three times more likely to die of an opioid overdose relative to non-Indigenous persons, their plight has been largely ignored by the mainstream media, whose focus has been on the deaths of young, white, middle-class Canadians, with images and stories of white victims outnumbering the coverage of Indigenous victims by almost 30 to 1. Moreover, while white individuals tend to be portrayed as innocent victims of illicit drugs made by foreign manufacturers, the opioid crisis among Indigenous Peoples is more likely to be framed in the context of addiction and as a "chronic community-based issue with no clear victim or villain."[178] Media representations of Indigenous women follow the same dynamic. Missing and murdered Indigenous women receive three-and-a-half times less coverage than missing and murdered white women.[179] Indigenous women are also blamed for the high rates of violence they experience, which news sources often attribute to prostitution, alcohol and drug addiction, homelessness and high-risk lifestyles but not to colonialism or systemic racism.[180] Other persistent media stereotypes depict Indigenous Peoples as either corrupt, confrontational warriors in need of restraint or as lazy, helpless, dependent victims who are unable to manage their own affairs.[181] These colonial frames, which hold across both mainstream print and television news media, are also used to undermine Indigenous political advocacy.[182] While the Idle No More movement did receive media support for its agenda, rhetoric advanced by one network argued that corrupt leadership and refusals to assimilate into Western society were at the crux of the issue.[183]

9. CIVIL SOCIETY

QUÉBÉCOIS | SCORE: 8

The *Fédération des Femmes du Québec* (The Women's Federation of Québec) advocates gender justice and equality "from a plural and pluralist perspective," recognizing the diverse nature of Québec society, the vulnerability of marginalized women and the importance of solidarity with Indigenous women.

Canadian civil society reflects the country's multi-nation context, with civil society groups in Québec operating differently from groups in the rest of Canada. Québec is home to a range of unique society organizations that advocate for the protection of Québécois identity and interests, such as the *Mouvement national des Québécoises et des Québécois* and the *Société Saint-Jean-Baptiste* (Saint Jean Baptiste Society). These organizations range from those advocating for Québécois national and cultural interests to those advocating for sovereignty. Québec also has advocacy organizations in a wide range of other areas, including the feminist and labour movements. Founded in 1966, the *Fédération des Femmes du Québec* (The Women's Federation of Québec) advocates gender justice and equality "from a plural and pluralist perspective," recognizing the diverse nature of Québec society, the vulnerability of marginalized women and the importance of solidarity with Indigenous women.[184] Québec's labour movement is distinct because it is more independent of national labour movements than that of any other province. While 71 percent of union members in English Canada belong to unions affiliated with the country's largest national labour organization, the Canadian Labour Congress, only half of Québec labour union members belong to such unions.[185]

Québécois nationalism shapes civil society activism within the province. Disagreement over national identity has led different women's organizations to different positions on issues related to national recognition. For example, while Québec women's organizations supported the proposal for constitutional change known as the Meech Lake Accord because of its recognition of Québec's distinct identity, Québec Native Women Inc. opposed it because of its lack of recognition of First Nations' Peoples.[186] However, the relationship between the feminist and nationalist movements in Québec has varied over time. During the 1995 Québec referendum, a comment about the failure of ethnically francophone women to produce more white babies caused significant tension between the two movements. Since then, the feminist movement has moved towards a social justice agenda with a new sensitivity to the inclusion of ethnoracialized and Indigenous women, while the nationalist movement has taken a neo-liberal turn, leaving a gap between these once-aligned partners.[187]

Distinct national identities also divide civil society between Québec and the rest of the country. The divisions were prominent during the constitutional battles of the 1980s and 1990s, with English-Canadian minority groups often opposing recognition of a distinct Québécois identity and greater provincial autonomy. The pan-Canadian National Action Committee on the Status of Women split apart over a proposal for constitutional change (the Meech Lake Accord), with Québec women's organizations in favour of the proposal and English-speaking women's organizations equally opposed because they feared the change would weaken the protection of rights. The Canadian Ethnocultural Council also opposed the Meech Lake Accord, fearing that any constitutional distinction between Quebecers and other Canadians would "work against the interests of minorities."[188] As a result, no pan-Canadian women's organization exists today, and social and charitable organizations tend to operate separately in Québec and the rest of Canada, with only weak links across the country as a whole. The economic domain, however, is a partial exception. The Canadian Labour Congress has set up an asymmetrical federal structure

Environmental and women's groups have been notable for being more inclusive of traditionally underrepresented groups, while community service and professional associations tend to be less diverse.

to accommodate the particular dynamic surrounding unions in Québec. The *Fédération des Travailleurs et Travailleuses du Québec* (The Federation of Working Men and Working Women of Québec) is the only provincial labour association that has been allowed to federate with the Canadian Labour Congress. By contrast, business associations, which have been more skeptical of Québec nationalism in general, have been hesitant to set up the same kinds of asymmetrical structures.[189]

Such conflicts can be emotionally difficult but are probably best seen as evidence of a healthy pluralism. They do, however, probably weaken the leadership potential of civil society at the pan-Canadian level.

ETHNORACIALIZED MINORITIES | SCORE: 7

The predominant voices in civil society are broadly supportive of pluralism. Associations such as the Canadian Ethnocultural Council and the National Council of Canadian Muslims promote the value of a culturally plural society. Their agendas also receive organized support from within the majority population, including churches; human rights organizations, such as the Canadian Civil Liberties Association; and labour unions.

Ethnoracialized minorities tend to be underrepresented amongst members of civil society organizations, though such organizations tend to be more inclusive than political parties. Environmental and women's groups have been notable for being more inclusive of traditionally underrepresented groups, while community service and professional associations tend to be less diverse.[190] Nonetheless, advocacy groups have had an important role in shaping Canadian immigration and multiculturalism policy. This is true both historically and today.[191]

Civil society has played a central role in immigrant resettlement and integration.[192] In 2015 and 2016, thousands of Canadians volunteered to sponsor Syrian refugees. Under the umbrella of churches and other civil society organizations, individual Canadians came together in small groups to support one or more refugees, providing financial and logistical support for housing, clothing and food, as well as social and emotional support. The spontaneous emergence of willing sponsors actually outstripped the availability of refugees to be sponsored.

Of course, in a pluralist democracy, there are inevitably voices on the other side. Right-wing think tanks, such as the Fraser Institute, challenge multiculturalism policies and the way that Indigenous rights create uncertainty for resource development. However, such voices are also contested in public debates. More radical opposition to pluralism does exist in a well-established and growing far-right subculture. The number of far-right extremist groups has tripled in recent years.[193] With funding from Public Safety Canada, the Institute for Strategic Dialogue tracked the social media footprint of right-wing extremism in Canada, finding more than 6,600 groups, channels, pages and accounts across seven social media platforms, engaging 11 million users.[194] While Canadians were the third-largest nationality on fringe white supremacy platforms, ethnonationalists—the largest right-wing extremist group in the Canadian study—were the most active on the mainstream platforms Twitter, Facebook and YouTube. Anti-Trudeau, anti-immigrant and anti-Muslim rhetoric were the most salient topics across platforms.[195]

INDIGENOUS PEOPLES | SCORE: 7

There is extensive civil society organization within Indigenous nations. Disputes over resource development, land claims and reconciliation have increased the prominence of both Indigenous civil society organizations and their opponents in civil and political discourse. First Nations, Inuit and Métis communities all have large national organizations that represent their interests and have increasing access to federal and provincial governments. The AFN has been active since 1985 and acts as a representative organization of 634 First Nations communities across the country.[196] Since 1971, the Inuit Tapiriit Kanatami has represented Canada's Inuit, while the Métis National Council has represented Métis individuals since 1983.[197] In addition to the large national organizations noted above, a wide range of more specialized organizations have developed to represent the distinct interests of different groups within Indigenous communities. These include the Native Women's Association of Canada and Idle No More movement as well as many regional and nation-specific organizations and movements.

As we saw in Part II (6), Indigenous civil society organizations engage in diverse political activities, ranging from traditional political lobbying by national organizations, such as the AFN, Inuit Tapiritt Kanatami and Métis National Council to blockades undertaken in response to resource development projects or in support of land claims and to then Attawapiskat Chief Theresa Spence's 2012–13 hunger strike.[198] And as we also saw, not all Canadians support their political claims.[199]

10. PRIVATE SECTOR

QUÉBÉCOIS | SCORE: 9

Québécois representation within the private sector in Québec has long been an issue in provincial politics. Prior to the Quiet Revolution of the 1960s and 1970s, domination of Québec's economy by an anglophone elite was a source of significant resentment amongst the francophone majority. Indeed, the Quiet Revolution slogan "*maîtres chez nous*" ("masters in our house") that was prominent during the 1960s and 1970s was, in part, a reference to the extent that the upper echelons of the private sector in the province were dominated by anglophones. Since 1960, a number of measures have been taken by various Québec provincial governments to establish greater Québécois control over Québec's economy. These include the establishment of Crown corporations such as Hydro Québec, as well as laws requiring that French be the language of work in larger firms and that French be the most prominent language on commercial signs.

Indications from the 2000s suggest that efforts to increase Québécois representation within the private sector in Québec have been largely successful. Where, in the 1970s, anglophones in Québec's private sector tended to earn more than francophones, by the 2000s, that trend had reversed itself so that francophones tended to earn more.[200] Ownership of private sector firms also increased significantly between 1961 and 2003, jumping from 47.1 percent to 67.1 percent.[201]

ETHNORACIALIZED MINORITIES | SCORE: 4

While the private sector is broadly supportive of pluralism, economic leaders tend not to be active champions of ethnoracialized minorities' interests. As in many countries, the business community is a strong supporter of a relatively open and stable immigration program that is responsive to labour-market needs. In addition, many business leaders see pluralism as an asset in a global economy and devote considerable energy to "managing diversity" in their own workforces.[202] Nevertheless, business tends to be less engaged in debates about multiculturalism policies and the incorporation of newcomers into the civic and political life of the country. Moreover, discrimination is still a reality in the labour market. A resumé experiment revealed that English-speaking employers in Toronto, Montréal and Vancouver, the major magnets for immigrants, were about 40 percent more likely to choose to interview a job applicant with an English-sounding name than someone with a minority name, even if both candidates had identical education, skills and work histories.[203]

In addition, research examining the composition of boards of directors at large corporations in Toronto, Vancouver, Montréal and Calgary showed a decided lack of diversity. As of 2019, only 4.5 percent of racialized persons held board positions.[204] Among that group, black people were particularly absent from corporate leadership, constituting only 0.3 percent of corporate boards.[205] While women fared better in their inclusion as corporate leaders, making up 25.3 percent of boards, racialization played a significant role in women's success.[206] For example, in Toronto, where there are more racialized than non-racialized women, non-racialized women outnumbered racialized women in corporate board roles 12 to 1.[207] The same dynamic marks the participation of racialized women at the chief executive level.[208]

Organized labour has shifted away from an early history of racist stances to support a more pluralistic Canada. Interestingly, in comparison with European countries, this adjustment may have been made easier by the relative weakness of class identities in Canada, which "left substantial room for the emergence of identities shaped by other dimensions of difference or inequality."[209] Unions would seem to have a clear interest in the incorporation of minority workers into the formal, unionized labour force. Nevertheless, unionization rates among racialized minorities are lower than for other Canadians, and union membership seems to do little to reduce the racialized disadvantage in earnings and earnings growth.[210]

INDIGENOUS PEOPLES | SCORE: 3

There is little evidence of large-scale efforts on the part of Canadian businesses to address the representation of Indigenous Peoples in the work force or in high-ranking management positions. Though they made up 4.9 percent of the total population in 2016 and are the fastest growing segment of the population, the representation of Indigenous Peoples on corporate boards decreased from 1.1 percent in 2017 to 0.8 percent in 2018.[211] A 2020 *Financial Post* survey of 23 companies incorporated under the Canada Business Corporations Act (1985) and listed on the Toronto Stock Exchange found only three directors identifying as Indigenous of the 225 total directors working for the companies surveyed.[212] As discussed in depth in Part IV, Indigenous individuals face significant economic inequality.

Indigenous entrepreneurship has grown, with the number of Indigenous Peoples reporting being self-employed jumping 38 percent between 2001 and 2006. Much of this increase, however, can be attributed to the increase in the working-age Indigenous population, and Indigenous Peoples remain half as likely to be self-employed as other Canadians.[213] Obtaining financing is a significant barrier to Indigenous entrepreneurship as financial institutions are often reluctant to provide loans to on-reserve businesses because the way that on-reserve property is held in common limits the ability of Indigenous businesses to put up collateral for loans.[214] Nonetheless, there are programs and organizations such as the federal government–run Aboriginal Entrepreneurship Program and the First Nations–owned Alberta Indian Investment Corporation that seek to provide capital to Indigenous businesses.[215]

PART IV.
GROUP-BASED INEQUALITIES
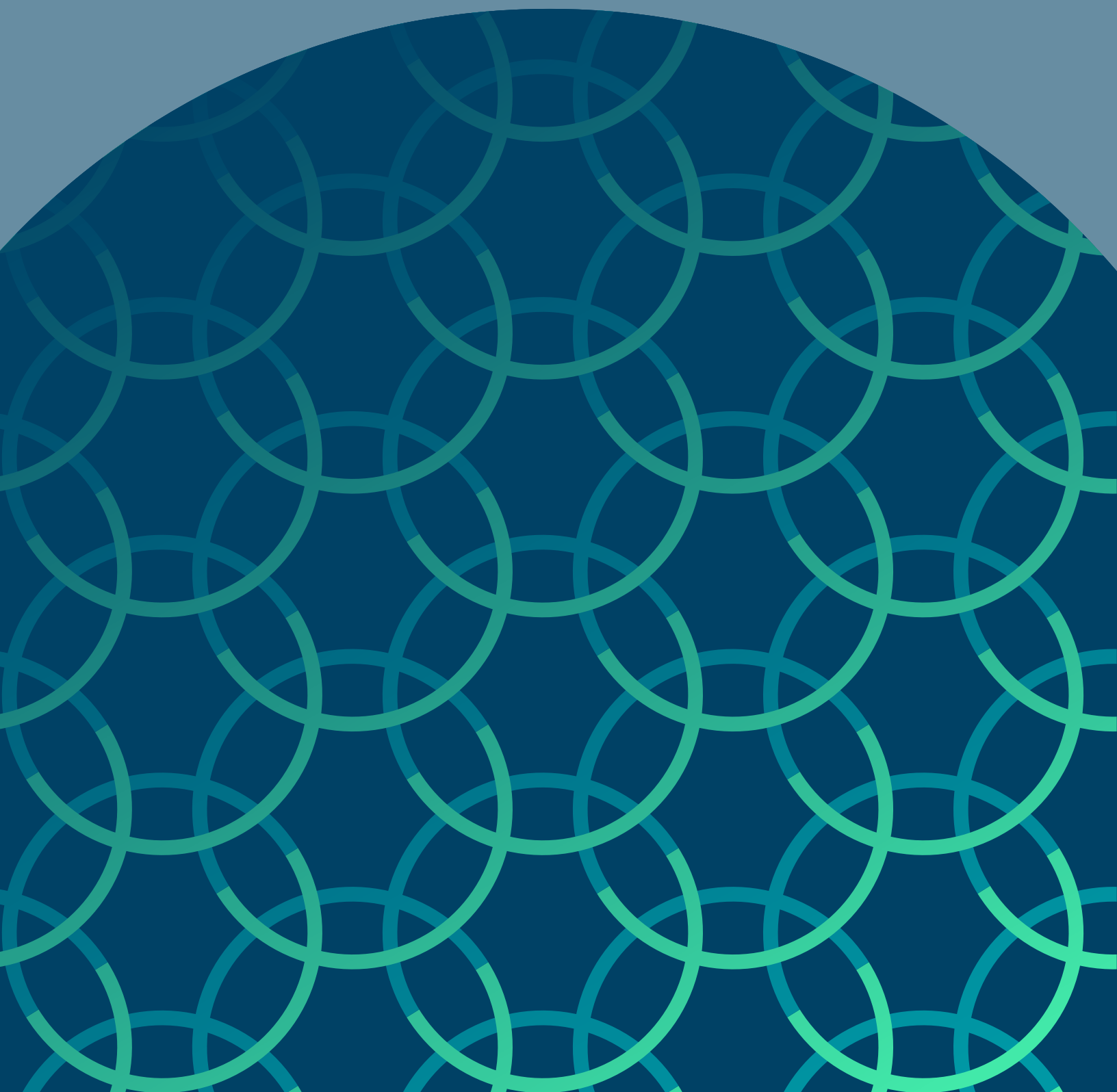
11. POLITICAL INEQUALITIES

Large and persistent group inequalities are corrosive of a healthy pluralism, generating grievance, political polarization and/or alienation. As in other dimensions of Canadian pluralism, the patterns are complex, varying across the different forms of inequality and—once again—across different groups.

QUÉBÉCOIS | SCORE: 9

Political representation of Québécois in federal politics is guaranteed by the allocation of seats in Parliament in relation to population. As Québec's share of the Canadian population has declined, its share of seats in Parliament has as well, reinforcing Québécois' sense of their minority status and their commitment to a decentralized federation. Nevertheless, Québécois remain a significant political force in the country, and the prime minister of the country often comes from the province. At the subnational level, Québécois represent a strong majority of the population in the province and are vigorously protected through the provincial legislature, the *Assemblée nationale* (National Assembly of Québec).

Representation of francophones in majority anglophone provinces is weaker but still active in provinces with significant francophone populations, such as New Brunswick and Ontario. Protection in other provinces is still weaker but not completely absent. Francophones tend to be geographically concentrated in specific communities and are a substantial presence in a small number of constituencies, which tend to elect a francophone representative.

ETHNORACIALIZED MINORITIES | SCORE: 7

Representation of ethnoracialized minorities has strengthened over time. In 2010, Canada had the highest proportion of foreign-born members of its national parliament in the industrialized world, constituting 13 percent of members of the House of Commons (compared to 19 percent of the population). Representation of visible minorities rose to 14 percent after the 2015 election and 15 percent after the 2019 election.[216] Although representation remains below the proportion of racialized minorities in the population as a whole (23 percent), it is comparable to the proportion of racialized minorities among Canadian citizens (17 percent), which defines the pool of individuals eligible to run for office.[217]

While racialized candidates have been historically underrepresented amongst Canada's major federal parties, in 2019, racialized minority candidates for the major parties stood at 16.5 percent of the total, comparable to their proportion of all citizens.[218] There are, however, significant disparities in political representation of different ethnoracialized minority groups. South Asian Canadians, for example, tend to be overrepresented amongst candidates for Parliament, while Filipino Canadians tend to be underrepresented.[219]

Representation has also increased at higher levels of the political hierarchy. The 2019 election was the first in which an ethnoracialized candidate ran as leader of a major federal party, with Jagmeet Singh serving as leader of the NDP. In 2020, Annamie Paul became the first black woman to lead a federal party when she was selected as the Green Party's leader. There is now also an expectation that the Cabinet appointed by the prime minister should include representation of ethnoracialized minorities, though the extent of that representation has varied from Cabinet to Cabinet. In 2019, the Canadian Cabinet had seven members from racialized minority groups, compromising 22 percent of Cabinet ministers.[220] Moreover, it is worth adding that two immigrant racialized minority women, Adrienne Clarkson and Michaëlle Jean, have served as the governor general of Canada.

This success at the federal level has not been fully duplicated at the provincial and municipal levels. Alberta's and Ontario's legislatures are fairly diverse, with over 20 percent of their members being from a racialized minority background. In British Columbia, 18 percent of Members of the Legislative Assembly (MLAs) are from racialized minority groups, a lower percentage than the 30 percent of British Columbians who identify as members of a racialized minority.[221] The biggest gaps, however, are at the municipal level. In 2016, across Canada's 50 largest cities, fewer than 7 percent of council seats were held by racialized minorities, well below their presence in the urban population, which was approximately 35 percent.[222] An analysis of 22 municipalities suggests that racialized minorities were fairly well represented as candidates but were less likely to win races than their white counterparts.[223] This lack of representation in municipal office was highlighted in 2018 when one of Canada's most diverse cities, Vancouver, elected a nearly all white city council.[224]

With respect to wider participation in politics, immigrants are no less likely to vote than native-born Canadians but racialized minorities are less likely to vote. Racialized minorities are, however, more likely than white individuals to have helped on a political campaign.[225] There is mixed evidence on whether racialized minorities are also likely to be members of political parties.[226]

INDIGENOUS PEOPLES | SCORE: 5

After the 2015 election, Indigenous Peoples were somewhat underrepresented at the federal level, making up 3 percent of members of the House of Commons compared to over 4 percent of the population.[227] One fewer Indigenous MPs was elected in 2019, with four First Nations, four Métis and two Inuit candidates joining the House of Commons.[228] Indigenous Peoples have also had limited representation within Cabinet. After 2015, Jody Wilson-Raybould was appointed as minister of Justice and attorney general, the first Indigenous person to hold that position. Wilson-Raybould, however, was shuffled into a different ministry and then left the government during the SNC Lavalin scandal. In 2019, there was just one Indigenous member of Cabinet, Minister of Northern Affairs Dan Vandal, who is Métis.[229] However, in 2021, an Inuk woman, Mary May Simon, was appointed as governor general of Canada.

Data on the representation of Indigenous Peoples in provincial legislatures and on city councils is limited. In Ontario, only one Indigenous person had been elected to the Ontario Legislature prior to 2018.[230] The 2018 election saw the number of Indigenous

Members of Provincial Parliament in Ontario increase to three, partly helped by the creation of two new electoral districts in Northern Ontario that have large Indigenous populations. In British Columbia, Indigenous people are also underrepresented in the provincial legislature, making up 3.4 percent of MLAs even though 5.9 percent of the population identifies as Indigenous.[231]

Voter turnout in Indigenous communities tends to be significantly lower than turnout among the rest of the Canadian population.[232] Between 2004 and 2011, on-reserve turnout was consistently under 50 percent and 10 to 20 percentage points lower than voter turnout in the rest of the Canadian population. The 2015 election was something of an exception, as on-reserve turnout rose to 62 percent, as compared to 66 percent of the Canadian population.[233] However, in the 2019 federal election on-reserve turnout fell back to 52 percent, compared to 67 percent in Canada as a whole.[234] In contrast, we know much less about the voting turnout of the large number of Indigenous Peoples who live off-reserve because it is difficult to disaggregate Indigenous from non-Indigenous voter turnout in off-reserve communities.

12. ECONOMIC INEQUALITIES

QUÉBÉCOIS | SCORE: 8

As we saw in Part III (10), the historic gap between francophones and anglophones within Québec has disappeared. In the country as a whole, economic gaps persist. Figure 12.1 indicates that francophone Quebecers now enjoy a lower rate of unemployment than anglophone Canadians. Nevertheless, Figure 12.2 indicates that economic convergence is incomplete and household income among francophone Quebecers continues to lag behind.

Figure 12.1
Unemployment: Francophone Quebecers and anglophone Canadians
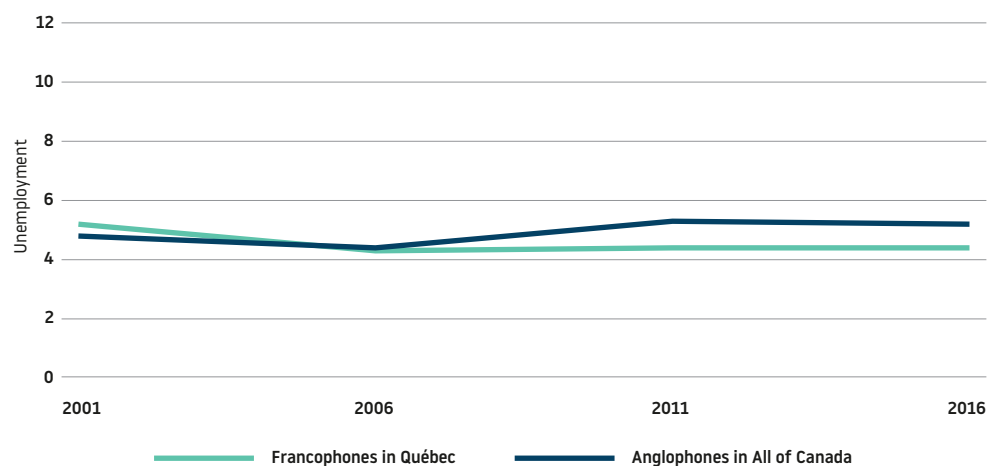
Source: Statistics Canada, 2016 Census of Canada (2001–16)

Figure 12.2
Household Income: Francophone Quebecers and anglophone Canadians
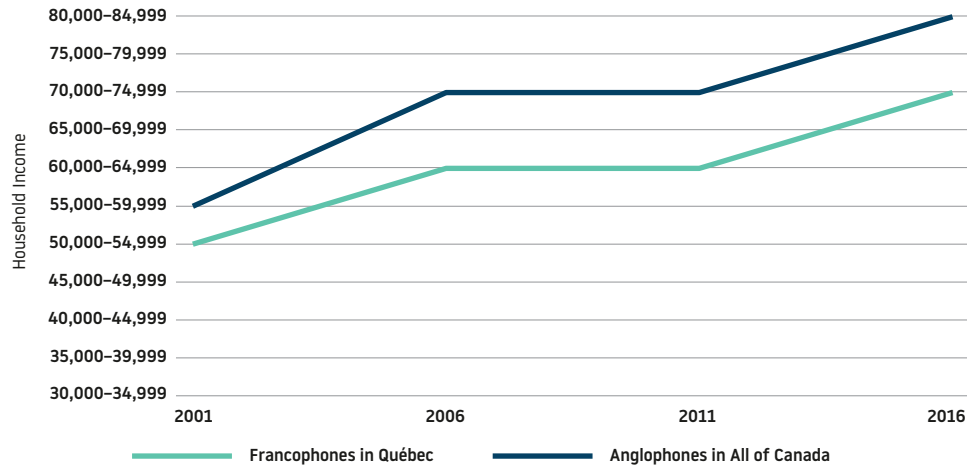
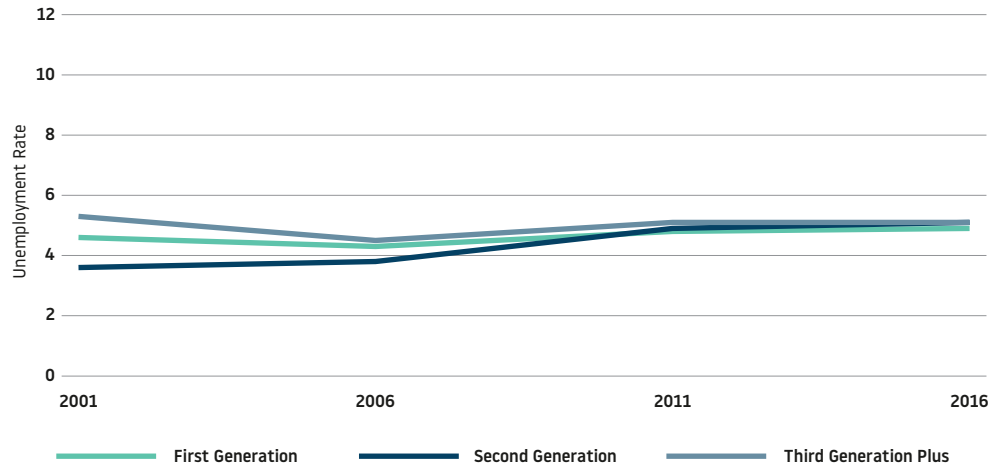Source: Statistics Canada, 2016 Census of Canada (2001–16)

The immigrant generation bears a serious income penalty, reflecting the country's failure to utilize the training and skills new immigrants bring to the country.

The lower level of household income for francophone Quebecers is, in part, a reflection of differences in the economic performance of the various regions of the country. The Québec economy has tended to lag behind the rate of growth of the country as a whole. As a result, Québec has been a regular recipient of equalization payments from the federal government, which are designed to support provinces with tax bases below the national average as a result of economic performance that tends to be slightly below the national average.

### ETHNORACIALIZED MINORITIES | SCORE: 5

Recent immigrants to Canada are highly educated, reflecting the priorities established by immigration policies. Moreover, Figure 12.3 shows little systematic difference in unemployment rates across different generations of immigrants (a gap in 2001–6 appears to have closed in 2011 and 2016). However, as Figure 12.4 indicates, the immigrant generation bears a serious income penalty, reflecting the country's failure to utilize the training and skills new immigrants bring to the country. Subsequent generations do better. There is little difference between the median incomes of second generation and third-plus generations, suggesting that, in general, the children of immigrants are doing as well economically as other Canadians. [235]

Figure 12.3
Unemployment rate by immigrant generation

Source: Statistics Canada, 2016 Census of Canada (2001–16)

Figure 12.4
**Median household income by immigrant generation**
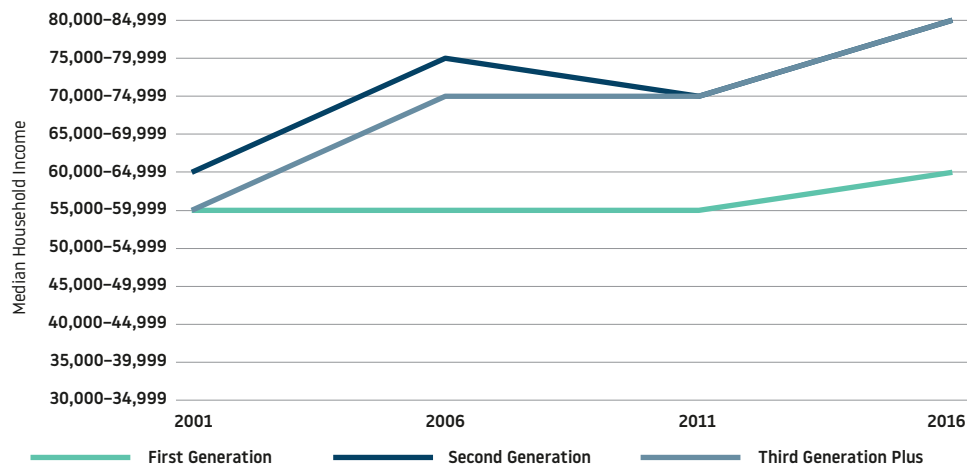
Source: Statistics Canada, 2016 Census of Canada (2001–16)

A more complex story emerges when focusing on differences across racialized minority groups. Figures 12.5 and 12.6 display differences in unemployment rates and household incomes across racialized minorities and between racialized minorities and the majority population. Chinese, Filipino, Korean and Japanese Canadians all have unemployment rates that are comparable to that of the majority population, with three of those groups having unemployment rates slightly lower than the non-racialized majority. Other groups of racialized minorities have higher unemployment rates. In particular, the unemployment rates for black and Arab Canadians are almost twice that of all others in the census. Median household income also shows significant gaps not only between racialized minorities and other Canadians but also among different groups of racialized

**The unemployment rates for black and Arab Canadians are almost twice that of all others in the census.**

minorities. At between $70,000 (CAD) and $74,999 (CAD), the median income of South Asian individuals is only a bit below the median income of those that do not identify as visible minorities. Other groups have median incomes substantially lower than that of those that do not identify as visible minorities, with Arab and West Asian individuals having the lowest median incomes.

Figure 12.5
Unemployment rate by census visible minority, 2016
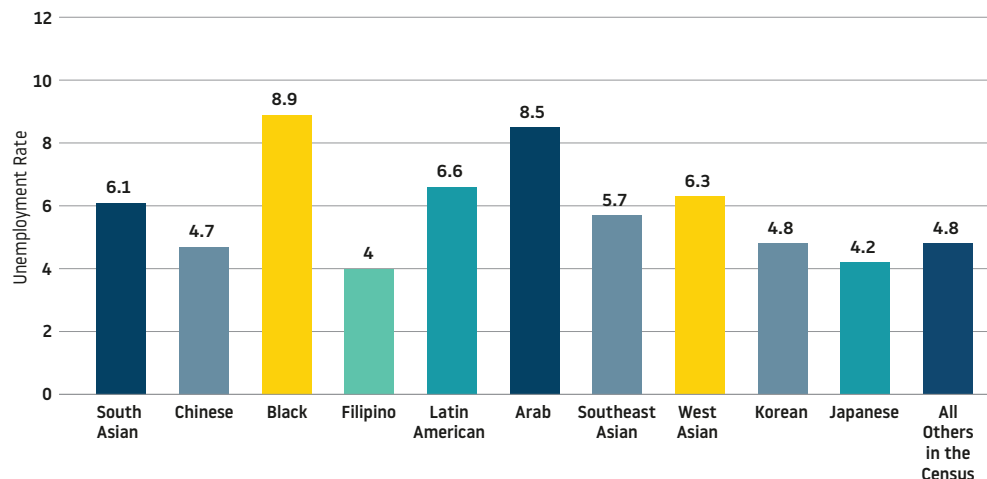
Source: Statistics Canada, 2016 Census of Canada (2001–16)

Figure 12.6
Median household income by census visible minority, 2016
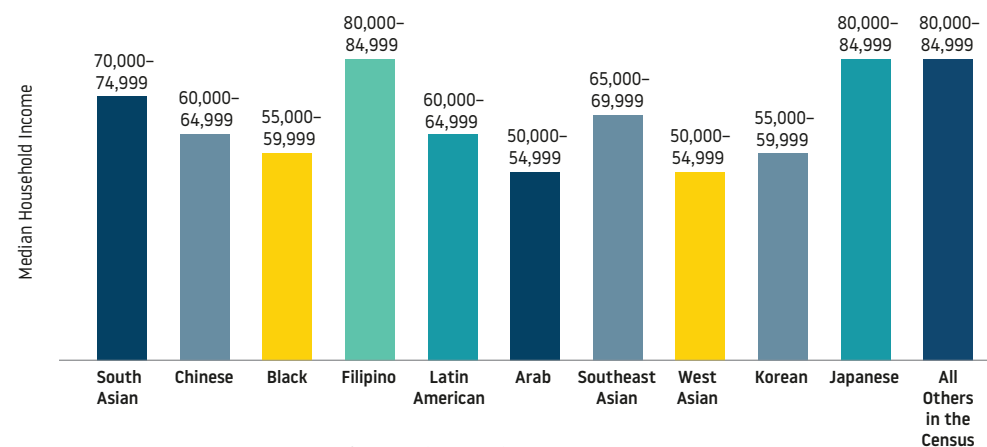
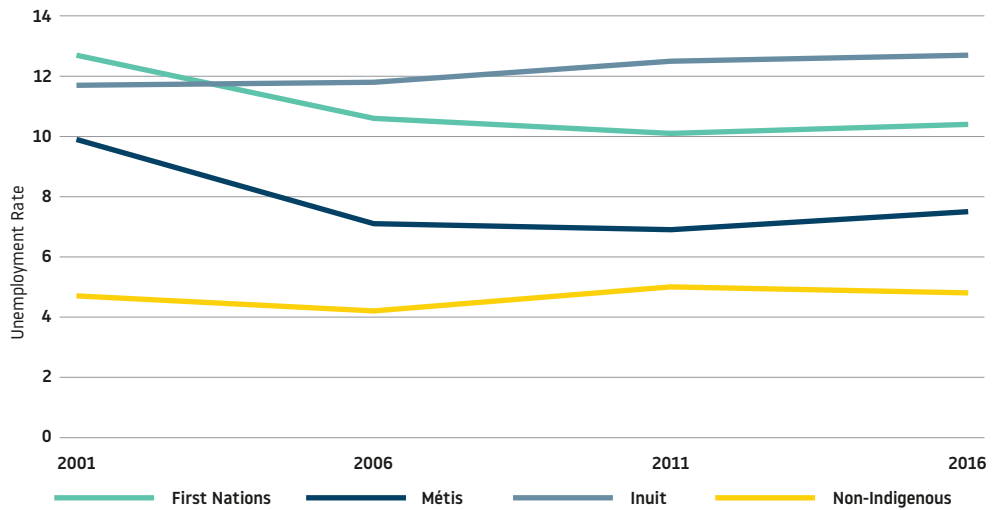*Source*: Statistics Canada, 2016 Census of Canada (2001–16)

As we saw in Part III, there is evidence of discrimination against ethnoracialized minority groups in the labour market. A meta-analysis of field experiments in which researchers responded to job advertisements with resumes that varied only in the ethnic and racialized background of the applicant found that applicants who were white and native-born were 65 percent more likely to be invited for an interview than black applicants and 42 percent more likely that applicants with an Asian ethnic background.[236]

The starkest inequalities—the darkest side of the Canadian diversity story—concern Indigenous Peoples, where progress seems painfully slow at best. Figure 12.7 shows that while the unemployment rate has been declining for both First Nations and Métis individuals, there is still a substantial gap between the unemployment rates for all three groups of Indigenous Peoples and non-Indigenous people. Clear differences persist in median income. Figure 12.8 shows that a major gap persists between non-Indigenous and Indigenous people. The difference between Métis and non-Indigenous Canadians has closed slightly, but there is no evidence that the gap between non-Indigenous Canadians and First Nations or Inuit has closed over the last two decades.

Figure 12.7
Unemployment by Indigenous status

Source: Statistics Canada, 2016 Census of Canada (2001–16)

Figure 12.8
Median household income by Indigenous status
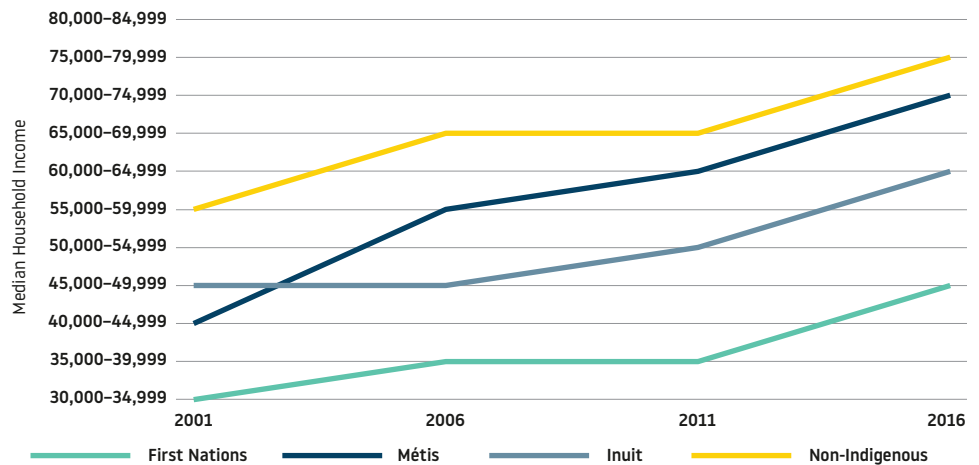
Source: Statistics Canada, 2016 Census of Canada (2001–16)

Though there is in place a duty to consult Indigenous Peoples with regards to resource development that would affect their lands, that duty stops short of giving Indigenous Peoples veto power over resource development projects affecting them.

Finally, Indigenous communities' access to land and natural resources is highly dependent on treaty rights, which vary greatly from Indigenous community to Indigenous community and involve prolonged negotiations with federal and provincial governments over the right to use land and resources. In the forestry industry, for example, Indigenous communities' ability to control the use of forests varies by community and depends on agreements negotiated with both federal and provincial governments, as well as with private actors.[237] In Alberta, IBAs have been negotiated between oil sands developers and Indigenous communities affected by such developments, but assessments of how effective these agreements are limited by the fact that they are confidential.[238] Though there is in place a duty to consult Indigenous Peoples with regards to resource development that would affect their lands, that duty stops short of giving Indigenous Peoples veto power over resource development projects affecting them.

The federal government offers a number of grant and loan programs to assist Indigenous businesses and a Procurement Strategy for Aboriginal Business Program to encourage Indigenous businesses to compete for federal procurement opportunities.[239] While most Indigenous entrepreneurs finance their business ventures through personal savings, a network of Indigenous financial institutions exists, led by the National Aboriginal Capital Corporation Association (NACCA) and including many other funding envelopes in the provinces and territories. The NACCA is an autonomous, Indigenous-controlled, community-based network of 59 Aboriginal Financial Institutions (AFIs), which provide business financing and support services to First Nations, Métis and Inuit in all provinces and territories. The goal of the NACCA is to stimulate new, Indigenous-led small-to-medium business enterprises and address financing gaps. Among the programs overseen by NACCA is the federal government's Aboriginal Entrepreneurship Program, which provides both capital and business opportunities to Indigenous Peoples.[240] The 2021 federal budget includes additional investments of $42 million (CAD) over three years to be distributed through the AFI network under the program, with a further investment of $22 million (CAD) over three years to the NACCA's Indigenous Women's Entrepreneurship Program.[241]

The NACCA also acts as the fund manager for Canada's new $150 million (CAD) Indigenous Growth Fund, a limited partnership that aims to connect private investors to Indigenous businesses. The Canadian government and the Business Development Bank of Canada each invested $50 million (CAD) in the fund with additional contributions from Export Development Canada and Farm Credit Canada. New accredited investors, including institutional investors, public and private foundations, and Indigenous trusts, can be brought in on an ongoing basis to grow the fund's capacity or replenish capital from outgoing investors. The fund structure uses public monies to decrease the risk associated with private-sector investment in Indigenous business enterprises by ensuring that private-sector investors are paid out first and that fund losses are borne first by the government and NACCA. Monies from this innovative fund will be used to distribute business loans through the AFI network and are anticipated to reach AFIs by the end of 2021. AFI lending will be increased by $75 million (CAD) each year, providing loans to approximately 500 businesses.[242]

Finally, it is important to note that the COVID-19 pandemic has increased inequalities, particularly with respect to ethnoracialized minorities and Indigenous Peoples. At the time of writing, however, data on how economic inequalities have changed during the pandemic were not available.

13. SOCIAL INEQUALITIES

Québec has utilized its jurisdiction to build a more expansive version of the welfare state, one that is more generous and redistributive than in the rest of the country.

Formal inequalities in the social domain tend to be narrower than inequalities in the economic domain. In principle, universal education and health care programs incorporate the population as a whole, and exclusions from welfare and social protections are limited compared to many other countries.[243] Nevertheless, differences in access remain, and differences in social outcomes are marked. As in the case of economic inequalities, differences in outcomes tend to be smallest for Québécois, varied across immigrant groups and most marked for Indigenous Peoples.

QUÉBÉCOIS | SCORE: 9

The economic convergence between Québec and the rest of the country noted above was driven most importantly by a major expansion of the Québec educational system in the middle decades of the twentieth century. As Figure 13.1 demonstrates, the proportion of Francophones in Quebec with a university degree is only slightly lower than the proportion of Anglophones with a degree. In addition, Québec has utilized its jurisdiction to build a more expansive version of the welfare state, one that is more generous and redistributive than in the rest of the country. Inequality and poverty levels are lower in the province than elsewhere.[244]

Figure 13.1
University degree holders: Francophone Quebecers and anglophone Canadians
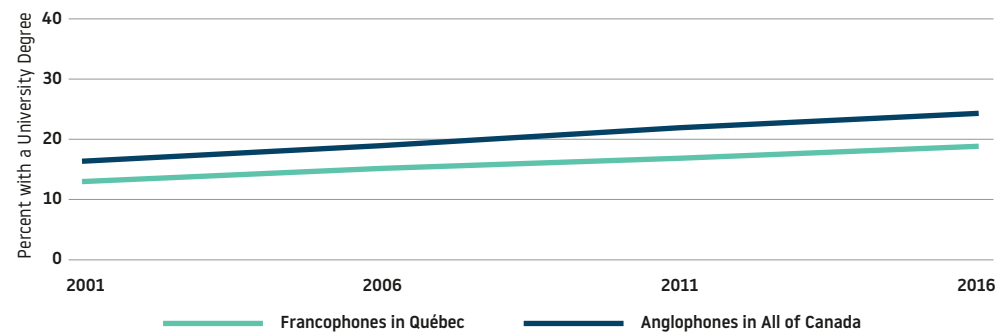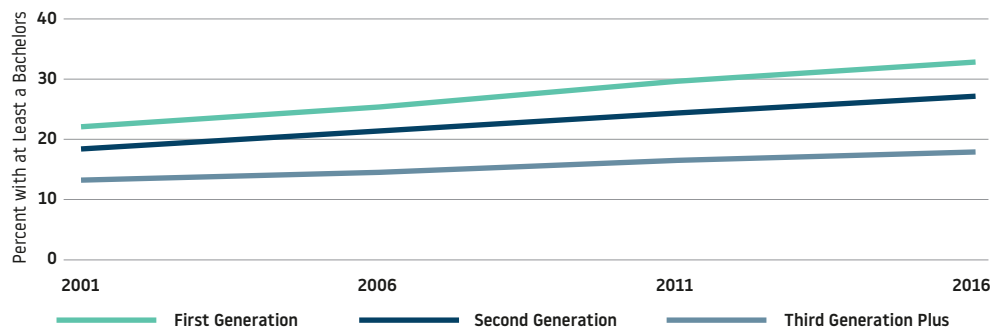

Source: Statistics Canada, 2016 Census of Canada (2016), Statistics Canada, 2011 Census of Canada (2011), Statistics Canada, 2011 Census of Canada (2006)

ETHNORACIALIZED MINORITIES | SCORE: 6

Unlike most countries in the Global North, immigrants admitted as permanent residents have high levels of access to the Canadian health care system and to social welfare programs.[245] International agencies rank Canada highly with respect to its provision of educational opportunities to the children of immigrants. Programs that contribute to this ranking include extra funding for schools with large numbers of immigrant children (provided by the provinces) and support for heritage language education.[246]

Education has been the key to immigrant performance in Canada. In general, first-generation immigrants are more likely to hold a university degree than native-born Canadians. As Figure 13.2 confirms, this educational advantage tends to weaken over subsequent generations. Nevertheless, Figure 13.3 shows that almost every racialized minority group in the census has a higher percentage of people with at least a bachelor's degree than all other census respondents. The only group with a lower percentage is black Canadians (although Southeast Asian Canadians have only a slightly higher percentage of people with a degree). Three groups (Arab, West Asian and Korean Canadians) have twice the percentage of degrees as those that do not identify as visible minorities.

Figure 13.2
University degrees by immigrant generation, 2001–16

Source: Statistics Canada, 2016 Census of Canada (2016), Statistics Canada, 2011 Census of Canada (2011), Statistics Canada, 2011 Census of Canada (2006)

Figure 13.3
University degrees by visible minority identification, 2016
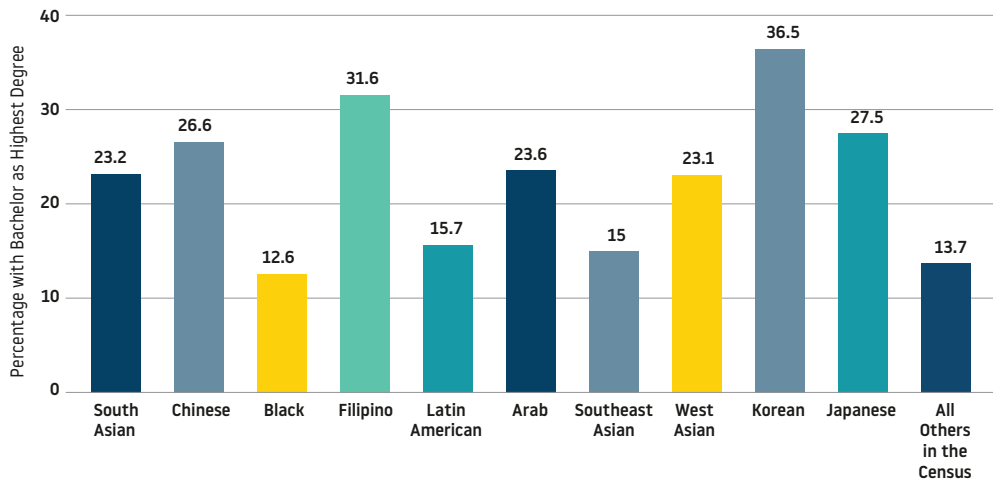
Source: Statistics Canada, 2016 Census of Canada (2016)

In a study of the Toronto District School Board, black students constituted 12 percent of the student population but 48 percent of all expulsions, while Eastern, Mediterranean and Southeast Asian students, who represented 4 percent of the population, accounted for 8 percent of all expulsions.

Not surprisingly, the educational challenges of black Canadians have attracted attention. The UN Committee on Social, Economic and Cultural Rights has raised concerns with the high dropout rates of black Canadians across different levels of education and a lack of funding to black cultural programs.[247] In addition, racialized students are expelled from school at disproportionately high rates. In a study of the Toronto District School Board, black students constituted 12 percent of the student population but 48 percent of all expulsions, while Eastern, Mediterranean and Southeast Asian students, who represented 4 percent of the population, accounted for 8 percent of all expulsions.[248] These figures raise concerns about a burgeoning school to prison pipeline in Canada.

In the case of health care, immigrants admitted as permanent residents have full access to health services and most have access to a regular doctor.[249] However, there can still be informal barriers to access, including communication issues, system knowledge deficits, cultural insensitivity, discrimination and socio–economic impediments.[250] Health outcomes for immigrants change over time. Because the Canadian immigration process screens applicants for health status, new immigrants tend to be in better health than the average Canadian, a phenomenon coined "the healthy immigrant effect." However, this health advantage declines over time, converging with the host population as evidenced by increasing age-standardized mortality rates, body mass index and self-reports.[251] The decline is particularly pronounced among recent, non-European, racialized immigrants.[252] Moreover, the healthy immigrant effect does not appear in perinatal health and birth outcomes. Immigrant women are more likely to deliver underweight infants, have worse self-rated health and suffer more postpartum health problems and mental health problems compared to Canadian-born women.[253] Additionally, MIPEX raises concerns that access to health care for undocumented migrants in Canada tends to be weaker than in other countries.[254]

There is little health research on racialized minorities, and most of the existing data fail to distinguish between racialized immigrants and the racialized Canadian-born population.[255] However, the research that does exist points to unsettling differences between white and non-white individuals. One Canadian study found that black patients are more often restrained and subjected to control mechanisms when being admitted to hospital for psychosis than white patients, even after controls for height, weight and other variables were in place.[256] There is also evidence suggesting that immigrant women are screened for cervical and breast cancer less often than white women.[257] While research in the US and UK shows worse cancer outcomes for black women, the lack of health-related data on race and ethnicity makes it difficult for researchers to confirm the same for black women in Canada.

COVID-19, perhaps more than any other health issue, has underlined the correlation among ethnicity, racialization and the social determinants of health. The Cargill meat processing outbreak in High River, Alberta, serves as one case in point. Deemed essential workers, the largely Filipino workforce, many of whom were permanent residents and temporary foreign workers, found themselves at the centre of the largest COVID-19 outbreak from any single site in Canada. Transmission of the virus, which climbed beyond the 1,500 case mark, was exacerbated by the fact that the employer refused to close the plant in order to put safety measures in place. Additionally, many of Cargill's low-income workers lived in large, shared households and carpooled to work out of economic necessity.[258] Such conditions existed across the country. Living in shared housing with essential workers from the health care industry was also

While most Canadians have access to clean drinking water, some Indigenous communities disproportionately lack access to potable water or routinely contend with boil water advisories.

common among the workforce, increasing the risk of transmission. In July 2020, 23.6 percent of employed Filipino Canadians and 20.3 percent of employed black Canadians worked in the health care and social service sectors, as compared to 13.7 percent of all workers.[259] Members of racialized minorities in Canada have been particularly hard hit by COVID-19. Data from Toronto released in July 2020 showed that while comprising about half of the city's population, racialized minorities accounted for 83 percent of the city's COVID-19 cases.[260]
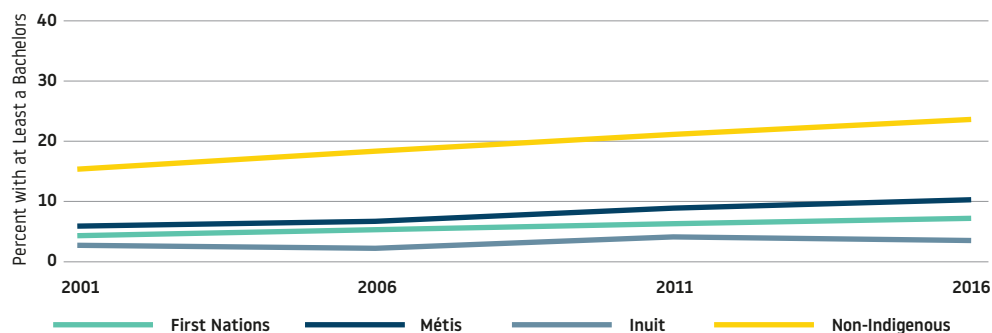
INDIGENOUS PEOPLES | SCORE: 3

The Canadian social model stalls with Indigenous Peoples, especially those living on reserves. Access to drinking water has become a symbol of the country's failure to provide equal access to critical services. While most Canadians have access to clean drinking water, some Indigenous communities disproportionately lack access to potable water or routinely contend with boil water advisories.[261] Development activities, government regulation and conservation efforts have also impeded historically coastal Indigenous communities' access to waters and marine resources, such as fish, tides, currents and winds.[262] Upon taking office in 2015, the Liberal Party committed to improving access to clean drinking water in Indigenous communities such that all long-term boil water advisories would be removed by March 2021. In December 2020, the federal government admitted that it would not be able to meet this commitment.[263] As of September 20th, 2021, 117 long-term advisories had been lifted while 45 remained in place affecting 32 different communities.[264] The case of boil water advisories is emblematic of larger failures.

Educational outcomes are deeply troubling. Between 2011 and 2016, the high school graduation rate of on-reserve students who started in grade 9 and completed high school in four years was 24 percent.[265] This represented a widening 33 percent gap in high school graduation rates between on-reserve students and Canadian high school graduates.[266] As Figure 13.4 documents, the differences compound at the post-secondary level. The roots of disadvantage run deep, but they are exacerbated by problems in the education system. Take funding, for example. In 2012–13, an additional $300-to-$595-million (CAD) would have been required to place band-operated schools on a par with provincially funded schools, putting Indigenous students at a significant disadvantage.[267] In addition, Indigenous students living off reserve experience high rates of expulsion. In the Toronto District School Board study, Indigenous students constituted 0.3 percent of the student population but represented 1 percent of all expulsions.[268] At the nexus of health and education, Indigenous families and children struggle to access therapeutic services, such as psycho-educational testing, speech language therapy and occupational therapy.[269]

Indigenous Peoples have lower life expectancy rates, higher infant mortality rates and are twice as likely to die of avoidable causes.

Figure 13.4
University education by Indigenous identification, 2001–16

Source: Statistics Canada, 2016 Census of Canada (2016), Statistics Canada, 2011 Census of Canada (2011), Statistics Canada, 2011 Census of Canada (2006)

Indigenous Peoples have lower life expectancy rates, higher infant mortality rates and are twice as likely to die of avoidable causes.[270] In remote communities, access to year-round health care is severely limited.[271] Indigenous Peoples also experience high rates of diabetes and have one of the highest suicide rates in the world. Suicide rates for First Nations youth are five-to-seven times higher than for non-Indigenous youth and 11 times higher for Inuit youth.[272] These are the Canadian version of "deaths of despair." Indigenous Peoples also face significant discrimination in the delivery of health care, especially in urgent care, sometimes with fatal consequences. The case of Joyce Echaquan made international news in 2020 when the 37-year-old Indigenous woman live streamed insults directed at her by hospital staff in Joliette, Québec, as she lay dying. Released in 2020, British Columbia's *In Plain Sight* report on discrimination in health care found that only 16 percent of Indigenous respondents reported not having experienced discrimination in the health care system. Additionally, 35 percent of health care worker respondents reported having personally witnessed discrimination against Indigenous patients, their families or friends.[273] Treatment is affected by stereotypes that characterize Indigenous patients as intoxicated, drug seeking, unwilling to take responsibility for their health and unable to care for children.[274]

These same stereotypes play a significant role in the reproductive lives of Indigenous women. Despite the repeal of legislation permitting coerced sexual sterilization, the practice continues. In 2017, a class-action lawsuit was filed in Saskatchewan. In 2018, as a second lawsuit was being prepared in Alberta, the UN Committee against Torture called on Canada to criminalize sterilizations occurring without free, prior and informed consent and to provide reparations to affected women.[275] In June 2021, the Senate Committee on Human Rights concluded that the practice of forced and coerced sterilization "is not confined to the past but clearly is continuing today. Its prevalence is underreported and underestimated."[276] Indigenous women and their children have also been profoundly affected by "birth alerts," the practice of registering concerns about the safety of an expectant child so that social workers can be notified when the child is born. Based on assumptions about whether an individual will be a fit parent, birth alerts can lead to the placement of children in provincial care. Data collected in Saskatchewan between January 1st and December 31st, 2020, showed that 76 birth alerts were issued in the

province, 56 of which involved Indigenous women.[277] In 2019, British Columbia, Alberta and the Yukon cancelled the practice, with Manitoba and Ontario following suit in 2020. Saskatchewan and Newfoundland discontinued the practice in 2021.[278]

In addition to ending the practice of birth alerts, more needs to be done to address reunification, provide prenatal and post-natal support for Indigenous mothers and decrease the number of Indigenous children in care. According to the 2016 census, 52 percent of children in care were Indigenous, though they represented only 7.7 percent of the child population.[279] In January 2020, federal legislation came into force authorizing Indigenous Peoples to assume responsibility for child and family services or enter into agreements to do so with government partners, though funding, capacity and a lack of clarity concerning urban Indigenous children have been cited as barriers to meaningful implementation.[280]

Finally, persistent gaps between the level of services provided to provincial residents and those provided to on-reserve Indigenous residents have placed the latter at significant disadvantage. In September 2019, Canada's Human Rights Tribunal ordered the federal government to compensate Indigenous children and families who experienced discriminatory treatment in child welfare services, including an award of $40,000 (CAD) to children who were taken into provincial care unnecessarily. The compensation was ordered after a finding that the government's underfunding of the on-reserve child welfare system constituted discrimination against Indigenous children. The government has been persistent in challenging the Tribunal's decisions, including the compensation order.[281] On June 7th, 2021, in the aftermath of uncovering what are believed to be the remains of 215 Indigenous children buried in an unmarked area at a former residential school, members of all parties passed a motion in the House of Commons calling on the government to end its "belligerent and litigious approach" by immediately dropping its appeals and fully complying with the orders of the Tribunal. Prime Minister Justin Trudeau and his Cabinet abstained from voting.[282]

14. CULTURAL INEQUALITIES

QUÉBÉCOIS | SCORE: 8

The distinctive language and culture of Québécois is protected by significant institutional guarantees. At the federal level, these include the Official Languages Act (1985), which ensures that French and English have equal status, rights and privileges in federal government institutions.[283] There are also official language protections in the Constitution and the Canadian Charter of Rights and Freedoms.

Québécois have even more powerful instruments of cultural self-determination at the provincial level. Provincial jurisdiction over significant cultural domains, such as education, helps protect the French language. The province also enacted a distinctive package of language policies, known as the Charter of the French Language, or Bill 101. Adopted in 1977 by the Parti Québécois, the legislation regulates the language of commercial signage in the province, places limits on who may attend English schools and requires businesses with 50 or more employees to make French the language of

work. The province used the notwithstanding clause in the Canadian Charter of Rights and Freedoms to immunize the legislation from rights-based challenges in the courts. In addition, the asymmetrical approach to federalism ensures that Québec administers its own immigration program, allowing it to give priority to French-speaking applicants coming to the province.

Despite these protections, sustained immigration has led to a decline in the use of French both at work and home, especially in Montréal, where two-thirds of the workforce regularly use a language other than French while working.[284] In response to this decline, the *Coalition Avenir Québec* (Coalition for Québec's Future) government introduced Bill 96 in May 2021. The proposed legislation aims to strengthen the province's language protections significantly. It extends existing language requirements to smaller companies (with 25–49 employees); it caps the number of students in English colleges (CEGEPs); it offers free French-language instruction to anyone who wants it; it creates a French language ministry and supports the language monitoring activities of the *Office Québécois de la Langue Française* (Québec Office of the French Language); and it requires all provincial communication with immigrants to be in French commencing six months after their arrival in the province.

Bill 96 also addresses another long-standing issue. Québécois worry that their distinct society is not fully accepted by the rest of Canada, leading to demands for constitutional affirmation of Québec's distinctiveness as a French-speaking nation. The Meech Lake Accord embraced this proposal in 1989 but failed to be adopted in the constitutional struggles of the period. In 2006, the House of Commons adopted a motion recognizing that Québec forms a nation within Canada.[285] Constitutional affirmation, however, remained elusive. Bill 96 seeks to unilaterally amend the Constitution Act, 1867 to recognize Québec as a nation, and French as its common and only official language.[286] The Charter's notwithstanding clause has been pre-emptively attached to the Bill to insulate its provisions from challenges based on religious, equality and expressive rights and freedoms.[287]

ETHNORACIALIZED MINORITIES | SCORE: 7

Whereas federal multiculturalism is seen as implying the equal recognition of all cultures, Québec's interculturalism gives priority to the historic francophone culture.

Canada's multiculturalism program, which has a legislative basis in the Canadian Multiculturalism Act (1988), encourages respect for cultural diversity through a range of activities from anti-racism programs to the funding of ethnic minority cultural organizations.[288] Premised on the creation of a cultural mosaic, the original policy promised that immigrants would not be asked to abandon their traditional cultural practices in order to participate fully in society. In addition, as of 2018, six provinces had also enacted multiculturalism legislation, and eight had created multiculturalism advisory councils.[289] Accommodation of cultural and religious differences is not just widely accepted, it is legally mandated in many settings, including the workplace.

However, as we saw in detail in Part II (4), approaches to cultural equality differ between Québec and the rest of Canada. Whereas federal multiculturalism is seen as implying the equal recognition of all cultures, Québec's interculturalism gives priority to the historic francophone culture. Québec's approach is reflected in the *Loi sur la Laïcité de l'État,* which prevents new public servants in positions of authority from wearing visible religious symbols and requires members of the public to uncover their faces when receiving public

services.[290] To pre-empt legal challenges, the government invoked the notwithstanding clause, shielding the legislation from review under the Charter for five years.

Public attitudes towards multiculturalism are more complex than the Canada-Québec divide suggest. While research found greater support for multiculturalism among English-speaking Canadians than among Québec francophones, support for multiculturalism amongst English Canadians is also nuanced.[291] Besco and Tolley noted that many Canadians are "conditional multiculturalists," who combine strong support for multiculturalism with an insistence that "ethnic groups should blend into society" and that "too many immigrants are not accepting of Canadian values."[292]

Moreover, the adoption of multiculturalism legislation has not eliminated discrimination and intolerance in Canada. Since the early 2000s, comprehensive evidence has been available on immigrants' sense of discrimination: 35 percent of racialized minorities reported having experienced discrimination or unfair treatment, with black, South Asian and Chinese Canadians having the highest rates.[293] In the contemporary period, anti-Muslim sentiments have flourished; data from 2014 found that 20 percent of Muslim Canadians had experienced discrimination during that year.[294] As we shall see in detail below, data on hate crimes reveal that Muslim and Jewish people are particularly vulnerable to expressions of hatred compared to other religious minorities.[295]

Finally, public policy controversies over cultural and religious accommodation are often acutely felt by women, who find themselves caught between the tenets of their cultural communities and the values of the dominant society. From Québec's interculturalism to the Sharia law controversy in Ontario to the Harper government's ban on wearing the niqab at citizenship ceremonies, Muslim women often become the symbolic battleground of conflicts that are characterized as pitting liberal values and gender equality against religious oppression and patriarchy, regardless of how the women at the centre of the conflict understand their religion and its practices.[296]

INDIGENOUS PEOPLES | SCORE: 5

Indigenous Peoples face important cultural inequalities that are rooted in the past. In recent years, Canadian governments have shifted to a more supportive approach, and the scoring here reflects contemporary practice. However, Canada still has a long way to go.

Canada's history was marked by sustained efforts to assimilate Indigenous Peoples through the destruction of their cultural traditions. In 1884 and 1885, the potlatch and the sundance were outlawed by Parliament based on the belief that the cultural practices were barriers to Christianity and civilized behaviour.[297] Residential schools aimed to "civilize" Indigenous children by teaching them English and the tenets of Christianity as part of a "conscious policy of cultural genocide."[298] Indigenous languages were actively suppressed, and children were punished for speaking their own languages or acknowledging their Indigenous heritage, profoundly affecting and disrupting linguistic and cultural transmission.[299] As the residential school system wound down, Indigenous children continued to be removed from their homes and communities and placed in the child welfare system. From the "Sixties Scoop" to the present day, vast numbers of children have been placed in provincial care, often unnecessarily, alienating them from their communities and cultures. By 1977, Indigenous children accounted for 44 percent

of children in care in Alberta, 51 percent of children in care in Saskatchewan and 60 percent of children in care in Manitoba.[300] In 2016, 52.2 percent of children in foster care aged 14 and under were Indigenous.[301] The fact that there are more Indigenous children in provincial care in 2021 than there were in residential schools at their height in 1953 is a legacy of colonial practices and the underfunding of reserve communities.[302]

Despite colonial efforts to assimilate Indigenous Peoples, more than 70 Indigenous languages are spoken in Canada. According to the 2016 census, 260,550 Indigenous respondents reported being able to carry on a conversation in an Indigenous language. This represented a 3.1 percent increase from 2006 and a total that exceeded the number of people who reported having an Indigenous mother tongue, suggesting that people are learning Indigenous languages as second languages. Language retention is uneven among different Indigenous groups, however. In 2016, close to two-thirds of Inuit could carry on a conversation in an Inuit language. The rate was much lower among the First Nations population at 21.3 percent, while only 1.7 percent of Métis people were able to converse in an Indigenous language.[303]

The state response to Indigenous languages has shifted since the days of cultural suppression. Through its Indigenous Languages and Cultures Program, the federal government offers support to Indigenous organizations and communities that deliver activities aimed at reclaiming, strengthening, and maintaining Indigenous languages.[304] An Indigenous Cultural Education Centres Program also exists to assist in the preservation and strengthening of Indigenous cultures and traditions.[305] While there are no constitutional provisions that speak specifically to Indigenous culture, the Supreme Court of Canada has declared that some Indigenous practices and traditions are protected Aboriginal rights under s. 35 (1) of the Constitution. Indigenous practices, customs, and traditions that were an integral element of a distinctive Indigenous culture at the time of European contact are protected by the constitutional provision.

Three critiques can be offered against the narrow range of constitutional protection afforded to Indigenous cultures. First, having occidental courts establish a list of authentically Indigenous practices deflects attention from more pressing claims for self-determination, which would place Indigenous Peoples in a much stronger position to protect and perpetuate their cultures. Second, a timeline based on European contact means that contemporary Indigenous practices are ineligible for constitutional protection.[306] Finally, the discourse of tradition has been relied on to justify gendered relations of power in Indigenous communities. The Court's emphasis on protecting traditional Indigenous practices has the potential not only to leave the subordination of some Indigenous women unchecked but also to authorize their subordination under the auspices of s. 35 (1).[307]

15. ACCESS TO JUSTICE

Canada has an independent judiciary staffed by judges who enjoy security of tenure until the age of retirement. Judges are tasked with interpreting constitutional provisions that afford ethnoracialized minorities, official language communities and Indigenous Peoples rights that they can assert against government intrusion. Provincial and territorial human rights codes and the administrative tribunals that adjudicate complaints

under them exist to address discrimination in the private realm, including employment, while the Canadian Human Rights Act (1985) precludes discrimination against federal employees and employees of federally regulated private corporations.[308]

Mediation and arbitration are more informal mechanisms of resolving disputes that are less costly than litigation. In some cases, mediation services are government provided or government subsidized. For example, in Ontario, free, on-site family mediation services are available to parties on the day they are scheduled to appear in court, and low-cost, off-site family mediation is available on a sliding scale based on client income and number of dependents.[309] Ombudsperson offices, which try to resolve complaints concerning provincial public services and agencies, exist in every province and territory with the exception of Nunavut and Prince Edward Island, though in May 2021, legislation to establish an ombudsperson office in Prince Edward Island passed second reading.[310]

While s. 10 (b) of the Charter provides the right upon arrest or detention "to retain and instruct counsel without delay," there is no general constitutional obligation on governments to provide state-funded legal counsel.[311] The exception is where an accused cannot afford a lawyer and faces a threat to life, liberty and security of the person, usually through the threat of incarceration, and is unable to effectively participate in the legal proceedings without legal counsel because of the proceedings' complexity. The right to counsel does not extend to the time of arrest, nor to appeals found to lack merit by legal aid administrators.[312] In keeping with the structure of legal aid more generally, legal assistance is therefore more likely to be provided in criminal cases. Though all provinces and territories offer some form of legal aid for low-income individuals to enhance accessibility to and public confidence in the justice system, the shared-cost program is generally underfunded, making justice unattainable for many low-income people. There are also significant disparities across jurisdictions in terms of "eligibility, coverage, the use of discretion by legal aid managers, administrative fees, and pay back requirements."[313] On a national scale, the system fails to offer low-income and impoverished persons equivalent access to legal aid in criminal and civil matters across Canada.

QUÉBÉCOIS | SCORE: 9

The Constitution further guarantees that francophones both in and outside of Québec can use French when appearing before federal courts and in most provinces. While litigation is an expensive prospect, minority language rights cases of national significance are eligible for funding under the Court Challenges Program. The program has twice been disbanded but was most recently reinstated by the Liberal government in 2017. With the goal of improving access to justice, the federal government provides a minimum of $1.5 million (CAD) annually for official language rights litigation.[314] Maximum funding for trial litigation is $125,000 (CAD), though smaller amounts are available for the preparation of appeals, test case development and interventions.[315]

ETHNORACIALIZED MINORITIES | SCORE: 6

Non-citizens enjoy many Charter rights and freedoms, though some rights are reserved for citizens, and six provinces offer immigration and refugee legal aid services.[316] The Court Challenges Program funds human rights cases, including equality rights cases

and litigation aimed at protecting fundamental freedoms, such as religious rights, with maximum funding of $200,000 (CAD) for trial litigation.[317] Approximately $3.5 million (CAD) is made available annually for human rights case funding.[318]

Despite its commitment to multiculturalism and robust framework to address discrimination and inequality, disparities exist in the application of the law and the experiences of racialized individuals in the criminal justice system. Systemic racism in policing is a significant problem. A 2019 report commissioned by the City of Montréal, which examined street checks undertaken by police between 2014 and 2017, found that black individuals were four-to-five times more likely than white people to be stopped by police.[319] Similarly, an examination of Toronto Police Services data from 2013 to 2017 showed not only that black people were more likely than others to be arrested, charged and over-charged but also that charges against black people were more likely to be withdrawn and less likely to result in a conviction, raising concerns about police charging practices.[320] Data on use of force by Toronto police illustrated the same dynamic. While black individuals comprised only 8.8 percent of the city's population, they accounted for 28.8 percent of use-of-force cases, 36 percent of shooting cases, and 70 percent of fatal shooting cases, making black individuals 20 times more likely than white people to be involved in a fatal shooting by police.[321]

Black accused are more likely than other racialized minority accused to be detained before trial, even after controlling for flight risk and danger to the public. They are also detained for longer periods of time before trial than are white accused. According to data from Canada's federal correctional agency for 2018–19, black individuals accounted for 7.2 percent of federal offenders but comprised only 3.5 percent of Canada's population.[322] There is little data on incarceration rates in provincial jails. However, a study examining 2010 release data from provincial correctional facilities in Ontario showed that black men were five times more likely to be incarcerated than white men, while black women were almost three times more likely to be incarcerated than white women. At least 1-in-14 black men aged 18 to 34 experienced incarceration in a provincial correctional facility in Ontario in 2010.[323]

Some laws are also applied inconsistently, with anti-Muslim sentiment being prevalent in Canadian public policy. The 2015 Zero Tolerance for Barbaric Cultural Practices Act, which has since been renamed, deems foreign nationals and permanent residents who practice polygamy inadmissible to Canada, despite the fact that polygamy is already criminalized. Against this backdrop, white, Mormon polygamists in Bountiful, BC, had been practicing polygamy in plain view of the public, media and law enforcement since the 1940s. Numerous complaints by victims and an RCMP investigation in 1990–91 did not produce a single conviction until two community leaders were convicted in 2018.[324] Though legally prohibited since 1890, these were the first polygamy convictions in Canada since 1906.[325] The two men were sentenced to short house-arrest terms; another 1000 polygamists who continue to practice polygamy in Bountiful were not charged. Different rules also exist for members of the dominant society where family units consist of more than two romantic partners. Since 2018, non-biological third parents in polyamorous relations have begun to assert and win government recognition as parents.[326] These relationships escape the Criminal Code and labels of "barbarism" only because those in the relationship either remain unmarried or marry only one of the people participating in the relationship.

INDIGENOUS PEOPLES | SCORE: 2

Access to justice for Indigenous Peoples differs significantly between the northern territories and the rest of Canada. In the three northern territories, Access to Justice Service Agreements exist with the federal government to address the challenges of justice service delivery in the North, such as language barriers and limited access to lawyers in private practice. The agreements provide for federal funding in three areas: the delivery of legal aid, legal education and information, and Indigenous court services. Indigenous court services help Indigenous individuals navigate the criminal justice system, address communication barriers and familiarize those working in the administration of justice with the cultures, values, languages and socio–economic conditions of Indigenous Peoples.[327]

In the rest of Canada, data on police interactions with Indigenous Peoples provide evidence of systemic racism in law enforcement. In the Montréal street-check study, Indigenous Peoples were four-to-five times more likely than white people to be stopped by police, and Indigenous women were 11 times more likely to be subjected to a street check relative to white women.[328] Police neglect, indifference, hostility and brutality have been documented in police failures to investigate disappeared Indigenous women and girls and the deliberate freezing deaths of Indigenous men such as Neil Stonechild.[329]

The inequities faced by Indigenous Peoples in access to justice are perhaps best illustrated by their disproportionate incarceration rates. In 2018–19, adults identifying as First Nations, Métis or Inuit comprised 4.5 percent of the population but accounted for 29 percent of all admissions to federal custody and 31 percent of admissions to provincial or territorial custody. In the federal prison system, Indigenous women constituted 41 percent of admissions, and Indigenous youth, who represented 8.8 percent of the youth population in 2018, accounted for 47 percent of custody admissions and 40 percent of community admissions. Overall, in the provinces and territories, the number of adult Indigenous men admitted to custody decreased by 6 percent in 2018–19 compared to the previous year, while non-Indigenous men saw a decrease in admissions of 7 percent. Admissions of Indigenous women followed a similar pattern, decreasing by 8 percent compared to a decrease of 6 percent for non-Indigenous women in the provinces and territories. However, admission to federal custody increased by 6 percent for Indigenous men and 4 percent for Indigenous women in 2018–19.[330]

In response to the overincarceration of Indigenous Peoples, the federal government has undertaken remedial measures. In 1996, amendments to the Criminal Code directed sentencing judges to consider all available sanctions other than imprisonment for Indigenous offenders. A system of "Gladue reports" was later implemented to guide judges in making sentencing and bail decisions. These reports detail the unique systemic and background factors that help explain how the individual, as an Indigenous person, ended up before the court, with a view to crafting a sentence that is both culturally relevant and focussed on rehabilitation. However, the Indigenization of the criminal justice population has not only persisted but has also accelerated since the statutory changes. Between 1998 and 2008, the number of Indigenous offenders in federal custody increased by 19.7 percent, driven in part by a 131 percent increase in incarcerated Indigenous women over this period.[331] Between 2010 and 2020, the in-custody Indigenous population in federal prisons increased by 42.9 percent, representing a 41.1 percent increase for Indigenous men and a 72.2 percent increase for Indigenous

women.[332] The non-Indigenous incarcerated population decreased by 13.7 percent over the same period.[333] In 2020, the Indigenous population in federal custody reached a new high, surpassing the 30 percent mark, prompting significant criticism from Canada's Correctional Investigator who characterized the failure to address Indigenous over-incarceration as a "national travesty."[334]

PART V.
INTERGROUP RELATIONS AND BELONGING
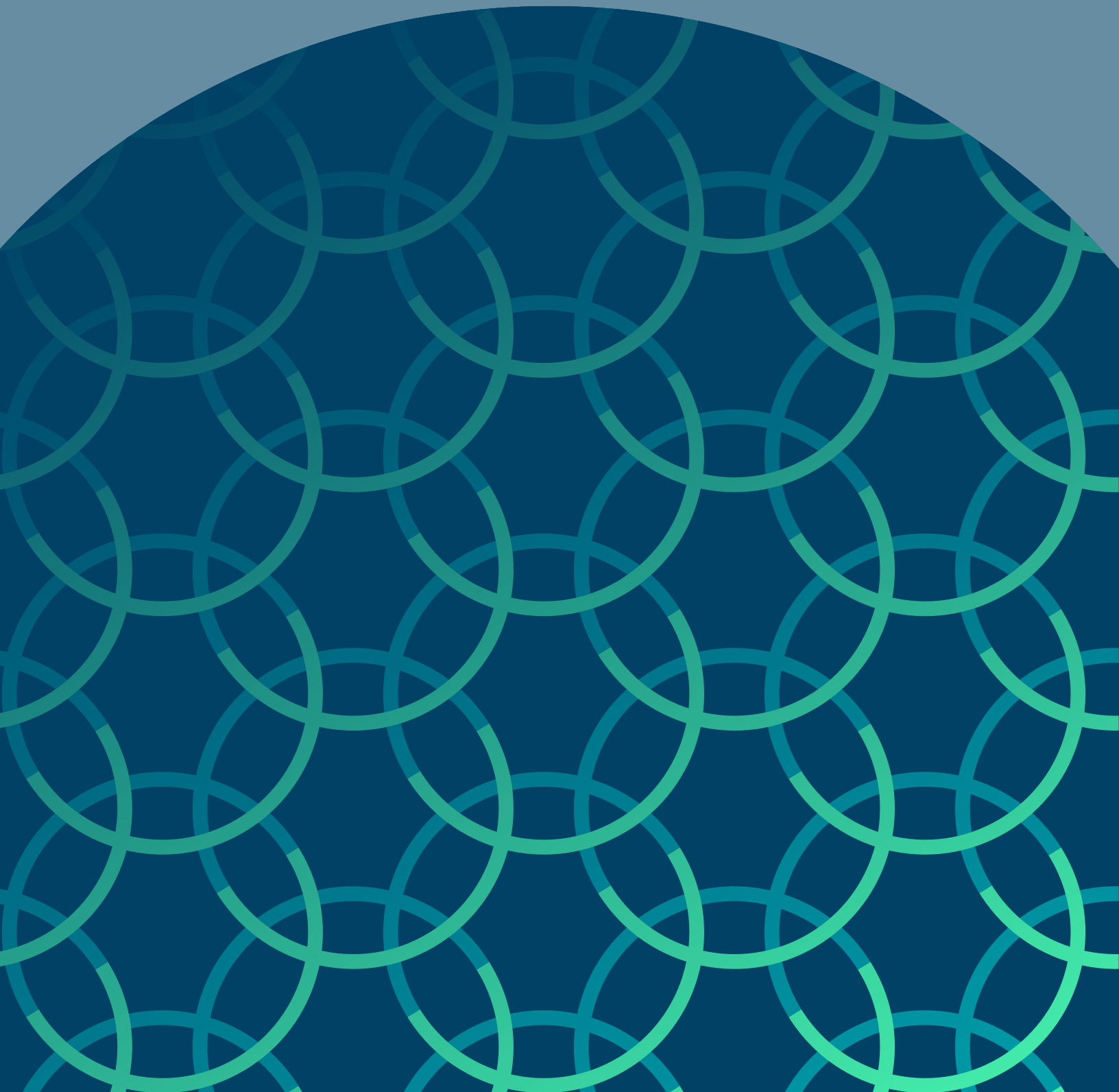
Given the levels of intergroup inequalities in Canada, it is not surprising that intergroup relations are sometimes strained. Interestingly, however, the pluralist conception of Canada emerges more strongly on these final indicators. Levels of intergroup trust are relatively high. Trust in political institutions does vary sharply among groups assessed in this report, but differences in the sense of inclusion, acceptance and shared ownership of society vary less across the three groups.

In exploring intergroup relations and belonging, this section relies on existing research and also draws extensively on data from a special survey conducted for this report by the Centre. These data are referred to in the text as being from the Centre's Perceptions Survey.[335] Analysis of the Perceptions Survey is limited to descriptive statistics providing the proportions of each group analyzed giving each response to each question. Survey weights are applied to account for differences between the proportions of different demographic groups among survey respondents and the proportions of those demographic groups in the Canadian population.

The Perceptions data illuminates important dimensions of Canadian pluralism. However, it does have some limitations. In the analysis of attitudes within Québec, low response rates to the question on language used at home make it impossible to distinguish between francophone Quebecers and anglophone Quebecers. In the analysis of ethnoracialized minorities,[336] the survey does not have enough respondents to distinguish between different ethnic minority groups.[337] Given that earlier sections of this report show large differences in inequality among different ethnoracialized groups, one might expect there to be substantial differences in attitudes among those groups that cannot be captured by the Perceptions Survey. Because Indigenous Peoples are likely to have very different levels of trust and experiences of discrimination than respondents who do not identify as ethnoracialized minorities, the small number of Indigenous respondents are excluded from the ethnic majority group with which ethnoracialized minorities are compared. Finally, in keeping with other general surveys of Canadian attitudes, the Perceptions Survey has too few Indigenous respondents to allow analysis. Given these limitations, the section draws on other specialized studies where appropriate.

16. INTERGROUP VIOLENCE

In general, levels of intergroup violence are low in Canada. But significant tensions exist beneath this apparently calm surface.

QUÉBÉCOIS | SCORE: 10

Intergroup violence between English Canadians and Québécois has been very limited. In the 1960s, the *Front de Libération du Québec* (FLQ, Front for the Liberation of Quebec) carried out bomb attacks against federal institutions such as mailboxes and RCMP headquarters. This culminated in 1970 with the October Crisis and the FLQ's kidnapping of British Trade Commissioner James Cross and the kidnap and murder of Pierre Laporte, the provincial labour minister. The murder of Laporte led to widespread condemnation of the FLQ both in Québec and in English Canada. With the subsequent emergence of

the Parti Québécois, which was dedicated to the peaceful, democratic pursuit of independence, violence between Québécois and English Canadians has become very rare.

ETHNORACIALIZED MINORITIES | SCORE: 7

Canada sees relatively low levels of violence among ethnoracialized minorities. Rarely is such violence organized. Hate crime rates are also relatively low in Canada, representing only 0.1 percent of all non-traffic crimes in 2017.[338] Figure 16.1 shows trends in police-reported hate crimes from 2014 to 2019. The total number of such crimes remained at under 4 per 100 000 until 2017 when they jumped to 5.7. Reported hate crimes were lower in 2018 and 2019 than in 2017, at 4.9 and 5.7 respectively, but still higher than they were in the middle of the decade.

Figure 16.1
Hate crimes by type, 2014–19
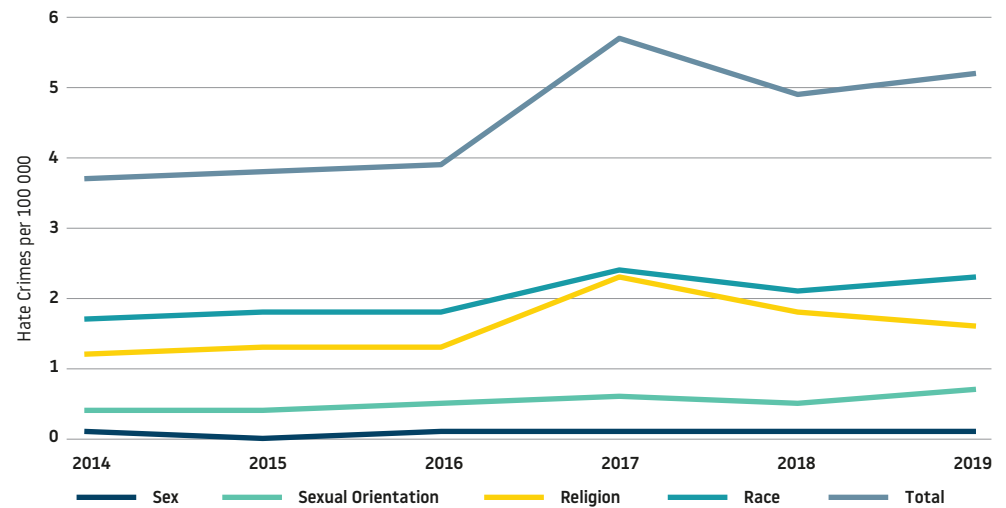
Source: Statistics Canada (2021)

Data from the Perceptions Survey, shown in Figure 16.2, are consistent with the low levels of hate crimes reported by Statistics Canada. Twelve per cent of survey respondents that identified as ethnic minorities and 8 percent of respondents that were born outside of Canada reported having experienced violent discrimination. While these numbers are higher than one would hope, and any violent discrimination should be taken as concerning, the survey suggests low levels of intergroup violence between ethnoracialized minorities and the majority community.[339] Data from the Perceptions Survey on non-violent discrimination is included later in this report, in the section on inclusion and acceptance.

Figure 16.2
Have You Experienced Violent Discrimination (Ethnoracialized Minorities and Immigrants)
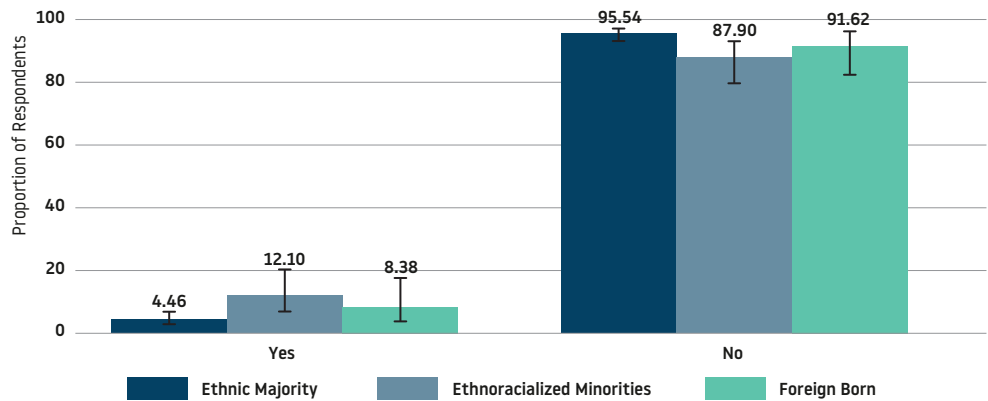
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Not all hate crimes include physical violence. Non-violent hate crimes, such as public incitement of hatred and mischief, increased by 64 percent in 2017, as compared to the 25 percent increase in violent hate crimes that year. Overall, violent hate crimes constituted 38 percent of all hate crimes, down from 44 percent in 2016.[340]

Perpetrators of hate crimes most commonly target two group categories: religious groups and ethnoracialized minorities. Figure 16.3 provides a more fine-grained analysis, tracking hate crime rates committed against the four most targeted ethnoracialized and religious groups. The rise in hate crimes in 2017 is striking, with the greatest proportionate increase in crimes targeting Muslim Canadians but also significant increases in crimes against both black and Jewish Canadians. Hate crimes against Arab and West Asian Canadians have been lower but have risen slowly. The years 2018 and 2019 saw a significant drop in crimes committed against Muslim Canadians but little change in crimes committed against black Canadians and Jewish Canadians.

Figure 16.3
Hate crimes by target, 2014–19
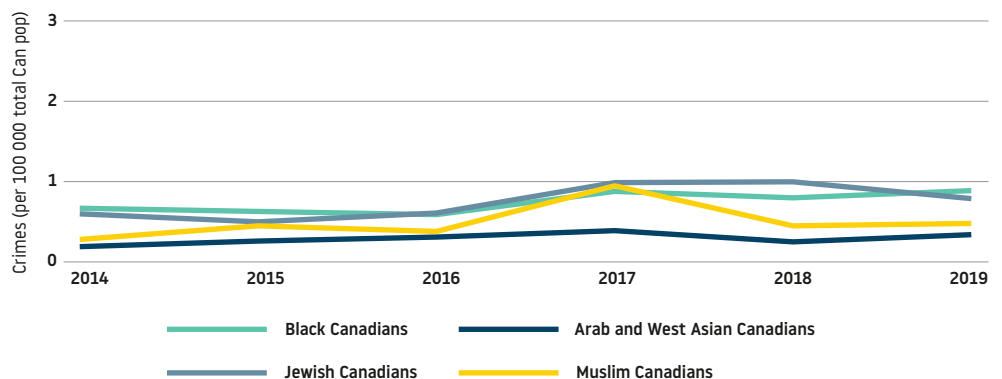
Source: Statistics Canada (2021)

The 2014 GSS on Canadians' Safety recorded 330,000 criminal incidents perceived by victims to be motivated by hate; two-thirds of these incidents were never reported to police.

While the number of hate crimes in Canada is relatively low, ethnoracialized and religious minorities still face real threats. Muslim Canadians were the targets of a mass shooting at a mosque in Québec in 2017 that killed six people and injured 19 and of a vehicular attack that killed four people in the same family in 2021.[341] Moreover, gender matters here. While close to 70 percent of all categories of hate crimes reported between 2010 and 2019 involved male targets, acts of violence committed against members of the Muslim population were more likely than other kinds of hate crimes to involve women, who comprised 47 percent of all victims of violent crimes against Muslim people.[342]

These data undoubtedly understate the problems. Collecting hate crime data faces serious limitations. Police data include only those incidents that are reported by victims and identified by police as motivated by hate. Accurate reporting therefore requires police expertise in identifying hate crimes. It also requires a willingness among victims to report. Data collection is impeded by chronic underreporting among victims based on fear of reprisal, linguistic and cultural barriers, and fear of police.[343] Self-reporting data provide some evidence of this limitation. The 2014 GSS on Canadians' Safety recorded 330,000 criminal incidents perceived by victims to be motivated by hate; two-thirds of these incidents were never reported to police.[344] Other data collection practices also affect crime statistics. When crimes involve multiple victims or multiple accused, only one criminal incident is recorded by police.[345] When a hate crime targets a person at the intersection of religion and racialization or ethnicity, police categorize the incident under one category only.[346]

In recent years, the Canadian government's focus on intergroup violence has broadened to include right-wing extremist groups, which have been publicly acknowledged as a national security risk. Research suggests that there are at least 130 active right-wing extremist groups in Canada.[347] In 2019, Blood & Honour, which claims to have a Canadian chapter, and its militarized arm, Combat 18, became the first far-right extremist groups to be added to Canada's terror watch list.[348] In February 2021, the Proud Boys and three more right-wing extremist groups were also added to Canada's list of terrorist entities.[349] In an effort to combat racism and discrimination, the Government of Canada, after undertaking an extensive engagement process with affected communities and organizations, committed $45 million (CAD) to fund *Building a Foundation for Change: Canada's Anti-Racism Strategy 2019–2022*. The Anti-Racism Strategy includes the creation of a Federal Anti-Racism Secretariat to coordinate federal action and a promise to continue to engage with relevant communities, stakeholders and experts.[350]

Finally, the COVID-19 pandemic triggered a shifting pattern of hate crimes. In a report released in July 2020, the proportion of racialized participants (18 percent) who reported an increase in the frequency of harassment and attacks based on ethnicity, race or skin colour was three times larger than the proportion among the rest of the population. Chinese (30 percent), Korean (27 percent) and Southeast Asian (19 percent) participants were most likely to report an increase in attacks and harassment.[351] In a more recent crowdsourcing initiative funded by the Canadian government, and undertaken between March 2020 and February 2021, the public reported 1,150 racist attacks. Eleven percent of those attacks involved physical assaults or unwanted physical contact, and another 10 percent involved coughing or spitting on victims. East Asian respondents accounted for 84 percent of all reports. Individuals who reported incidents in Chinese were 100 percent more likely to have suffered a physical attack compared to those who reported in English. Moreover, women were the victims of 60 percent of all reported incidents.[352]

Between 2010 and 2019, 51 percent of hate crimes targeting Indigenous Peoples were violent, and 44 percent of Indigenous victims of violent hate crimes sustained injuries.

INDIGENOUS PEOPLES | SCORE: 5

Canada is only starting to come to grips with the problems of violence against Indigenous Peoples. Fortunately, the contemporary experience is relatively free of pogroms and mob violence noted in the Centre's Framework as criteria for scoring a 4 on this indicator. Accordingly, the score on this indicator is 5. Nevertheless, the country has a long way to go to atone for its history.

As discussed in Part IV (14), the residential school system forcibly removed Indigenous children from their families and communities and placed them in schools which were rife with abuse and violence. The discovery of the remains of 215 Indigenous children in a mass grave at a former residential school in Kamloops, BC, underlines the extent of this state-sponsored violence.[353] Similar grave sites are being discovered at other former residential schools. Moreover, as we saw in the discussion of claims-making (Part II: 6), issues of violence are not exclusively in the past. In recent years, the exercise of Indigenous treaty rights has served as a flashpoint for violence by the majority population against Indigenous Peoples as well as by the state.

In 2019, hate crimes targeting Indigenous Peoples represented only 2 percent of reported hate crimes, at a rate of 1.8 hate crimes per 100,000, Indigenous Peoples.[354] However, multi-year analysis illustrates that hate crimes perpetrated against Indigenous Peoples are more likely than not to be violent, with victims sustaining the highest rate of injury.[355] Between 2010 and 2019, 51 percent of hate crimes targeting Indigenous Peoples were violent, and 44 percent of Indigenous victims of violent hate crimes sustained injuries.[356] Researchers and members of law enforcement alike acknowledge that the Indigenous population is highly victimized but often unwilling to report hate crimes to police, owing in part to the fact that Indigenous Peoples have less trust in the court system and the police than non-Indigenous Canadians.[357]

When the focus broadens to all forms of crime, Indigenous Peoples are seriously over-represented amongst crime victims. The Truth and Reconciliation Commission's final report noted that Indigenous Peoples are 58 percent more likely to be victims of crime than non-Indigenous Canadians.[358] Rates of victimization are particularly high amongst women.[359] According to the 2014 GSS, Indigenous women are at greater risk of violent victimization after controlling for risk factors such as age, education and employment status. Like Muslim women, Indigenous women are also more likely to be targets of violent hate crimes than other sorts of hate crimes, representing 45 percent of all Indigenous victims of violent hate crimes between 2010 and 2019.[360] Marginalization has contributed to the disproportionate number of Indigenous women and girls who have been murdered or disappeared. Between 1980 and 2012, 1,017 women and girls were murdered and another 164 disappeared. The Canadian government has made a commitment to address the causes of violence against Indigenous women and girls.[361] However, because the report was released in early 2019, it is difficult to assess the extent to which the government's commitment has been reflected in practice.

17. INTERGROUP TRUST

The Perceptions Survey includes questions about which we draw on heavily through this section of the report. Results from the survey with respect to trust should be interpreted with some caution. Social desirability bias coupled with priming may lead the survey data to overstate trust in Québécois, ethnoracialized minorities and Indigenous Peoples. Respondents may express a high level of trust for minority groups in surveys not because they have such high levels of trust but rather because they do not want to appear prejudiced. Questions about trust may also prime respondents to feel more trusting. Asking about particular minority groups may lead respondents to consider how they feel about diversity in general when answering questions about trust. This may in turn lead those with more favourable attitudes towards diversity to report higher levels of trust than when asked about the population in general. This may not be because respondents trust minorities more than the general population but rather because respondents are more trusting in general when prompted to think about diversity. This may explain why respondents are more likely to fully agree that Indigenous Peoples can be trusted, shown below, than they are to fully agree that most people can be trusted (shown in Appendix A).

QUÉBÉCOIS | SCORE: INSUFFICIENT DATA TO RANK

Despite a history of tension between Québec and English Canada over Québec separatism, the Constitution and intergovernmental relations, there is little evidence of deep intergroup distrust between the two communities in contemporary Canada. Unfortunately, the Centre's Perceptions Survey also did not include a question designed to capture such attitudes. One of the few studies on this subject, by Medeiros, showed that francophone feelings towards anglophones and anglophone feelings towards francophones in Canada are positive, with each group ranking their feelings towards each other as around 80/100 on a feeling thermometer.[362] Medeiros further showed that these intergroup attitudes between francophones and anglophones in Canada have become more positive over the past 25 years. Medeiros' work, however, speaks more to general attitudes than specifically to intergroup trust. Limited data on this subject suggests a need for more analysis on levels of trust between Quebecers and Canadians outside Québec, especially in the wake of deep divides between Québec and the rest of the country over multiculturalism and religious accommodation.

ETHNORACIALIZED MINORITIES | SCORE: 8

Until now, direct evidence about *intergroup* trust has been limited. One source was the 2005–9 World Values Survey, which measured levels of trust in people of another nationality or religion, found that Canada ranked among the top five most trusting countries.[363] Fortunately, the Centre's Perceptions Survey provides new evidence of both majority and minority group trust for those outside their community.

Figures 17.1, 17.2 and 17.3 compare trust for different religions, ethnicities and immigrants amongst the ethnic majority community, ethnic minorities and respondents born outside of Canada. Trust for different religious and ethnic groups is quite high in Canada. Members of the ethnic majority community, ethnoracialized minorities and

respondents born outside of Canada all agree that other religious and ethnic groups can be trusted. Indeed, there is little difference among the three groups on any of these measures. Trust in immigrants is also high, although the estimates vary more here. Trust in immigrants appears to be higher for the ethnic majority community than for ethnoracialized minorities and foreign-born respondents (indeed, estimates for levels of trust in immigrants are lowest for other immigrants). However, none of these differences are statistically significant. It is possible the estimates reflect the relatively smaller number of ethnic minorities and foreign-born respondents in the sample (leading to higher levels of random variation in responses for those two groups).

Figure 17.1
People of different religions can be trusted (ethnoracialized minorities and immigrants)
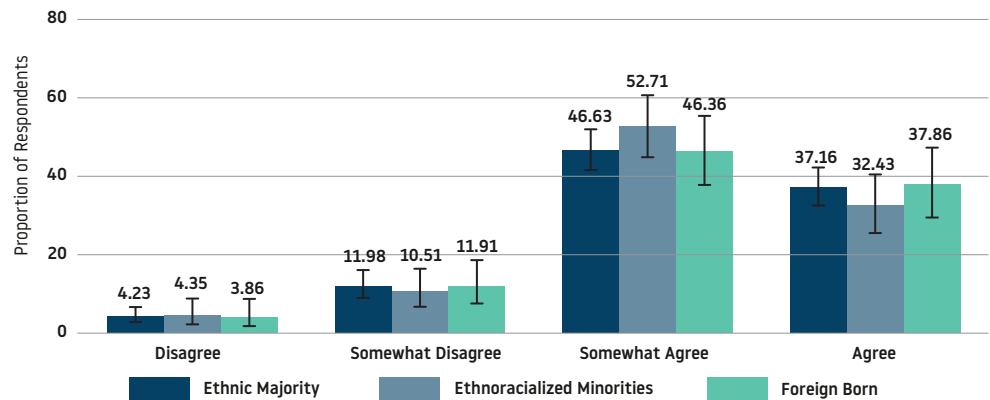
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure 17.2
People of different ethnicities can be trusted (ethnoracialized minorities and immigrants)
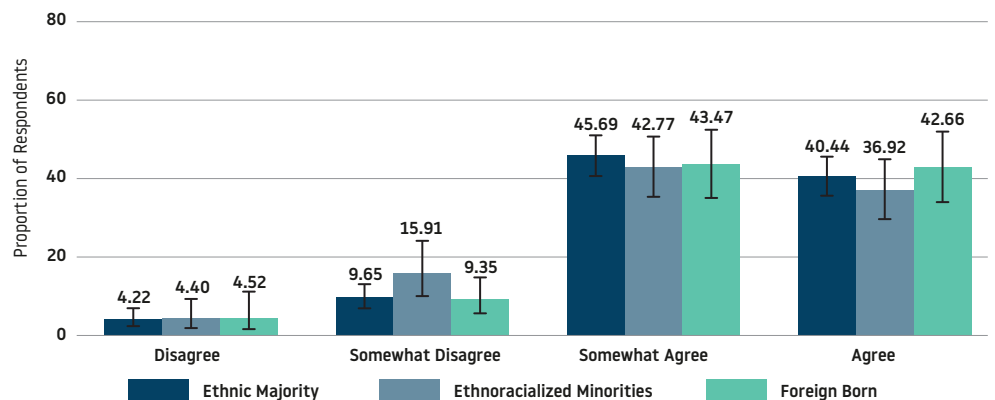
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure 17.3
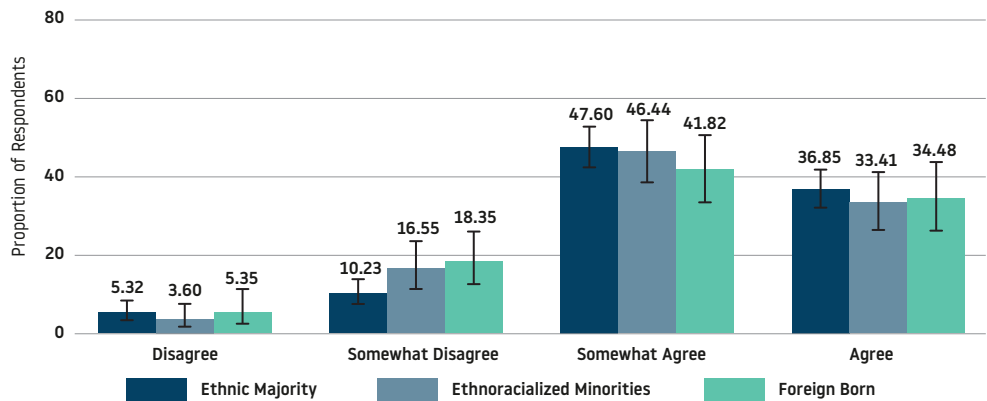**Immigrants can be trusted (ethnoracialized minorities and immigrants)**

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Intergroup relations can also be measured by looking at the extent to which individuals are comfortable with a family member marrying someone from a different community.[364] Figure 17.4 shows that the vast majority of respondents would be comfortable with a family member marrying someone from a different community: 90 percent of each group either agree or somewhat agree that they would be comfortable with a family member marrying someone from a different community, and over 66 percent of each group fully agree. There is no clear evidence of a difference between the different groups looked at. Respondents from the ethnic majority community seem slightly less likely to fully agree, but that difference is not statistically significant.

Other more detailed data provide a less reassuring picture. A 2009 Angus Reid poll asked respondents whether it would be acceptable for a family member to marry a follower of various religions, including Christianity, Islam, Judaism, Buddhism, Hinduism and Sikhism. Only 39 percent stated that an Islamic partner would be acceptable, with 29 percent finding the partner unacceptable. Sikh partners elicited the second lowest score; 39 percent of respondents indicated that the match would be acceptable, with 25 percent indicating unacceptable.[365] A 2017 survey of Ontario residents also asked respondents to gauge their comfort levels with a close relative, like a son or daughter, marrying various racialized and religious minorities. Respondents were either very or somewhat comfortable with Jewish and black partners at rates of 82 percent, and 79 percent respectively.[366] Comfort levels with prospective Muslim partners were considerably lower, with only 52 percent of respondents registering some comfort level. Quebecers were even less comfortable with prospective Muslim partners; only 39 percent indicated some comfort level.[367]

Figure 17.4
Comfort marrying someone from a different community (ethnoracialized minorities and immigrants)
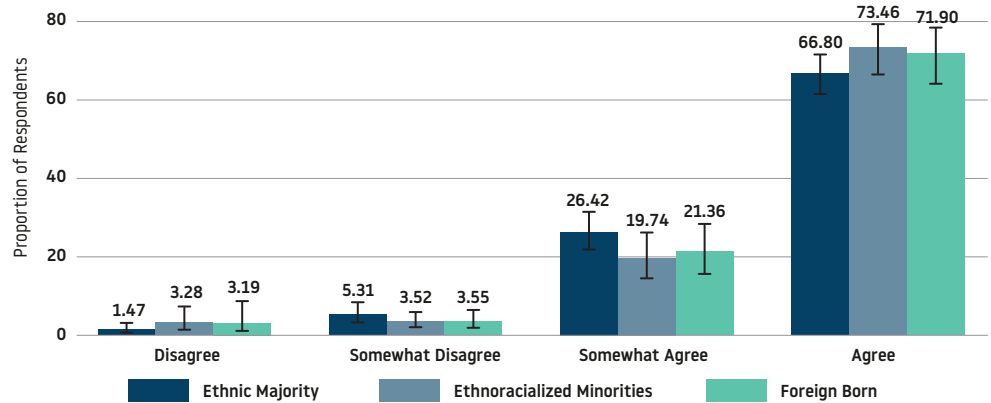

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Of course, these analyses may overstate the level of comfort with diversity. Responses to such questions may be subject to social desirability bias, where respondents that hold prejudiced attitudes are reluctant to admit such views. This is difficult to control for in standard survey analysis, though there is a growing body of literature that uses survey experiments to test the impact factors such as national identity and major events have on prejudice.[368]

INDIGENOUS PEOPLES | SCORE: 7

There is little literature addressing levels of trust between Indigenous Peoples and other groups. However, there is some research suggesting that while perceived discrimination by Indigenous Peoples is associated with lower levels of intergroup trust, Indigenous Peoples' trust in non-Indigenous Canadians is higher than their trust in government.[369]

Because of the small sample of Indigenous respondents in the Centre's Perceptions Survey, it does not provide evidence on Indigenous Peoples' level of trust for other Canadians. However, the survey does throw light on whether other Canadians feel that most Indigenous people can be trusted. Figure 17.5 shows levels of trust that are largely in line with trust towards ethnoracialized minorities. The vast majority of respondents either fully agree or somewhat agree that most Indigenous people can be trusted. Moreover, there is little difference between the ethnic minorities' perceptions of Indigenous Peoples and the views of the ethnic majority community.

Figure 17.5
Most Indigenous people can be trusted
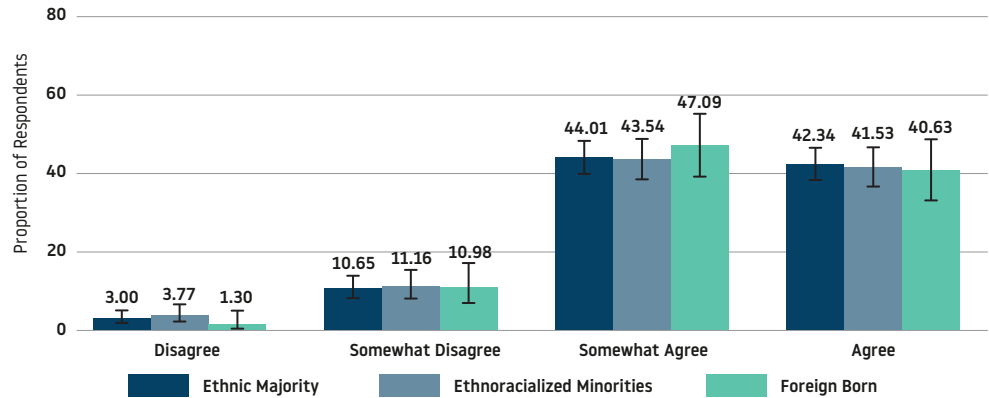
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

These results should be taken with some caution. Levels of trust reported here are slightly higher for Indigenous Peoples than the levels reported for immigrants in Figure 17.3 and for the general population (shown in Appendix A). As noted in the beginning of this section, it is possible that responses to these questions are influenced by social desirability bias or priming (where respondents who like diversity give positive answers regardless of their trust for Indigenous Peoples). Certainly, these results seem inconsistent with the high levels of discrimination experienced by Indigenous Peoples in Canada, noted throughout other parts of this report. Of course, other explanations are possible. Acts of discrimination, while large in total, may be the product of the behaviour of a minority of Canadians. Moreover, the challenges facing Indigenous Peoples have received considerable media attention in recent years. Nevertheless, social desirability bias often affects survey responses to questions of diversity and trust. While we think the Centre's Perceptions data are important and therefore form the basis of our scoring, more work needs to be done to get at trust towards Indigenous Peoples. Such work is beyond the scope and resources of this project.

The Centre's survey did not ask whether respondents would be comfortable with a family member marrying an Indigenous partner or having an Indigenous boss or supervisor. However, in a 2014 CBC News poll asking whether respondents would be comfortable with someone of a different ethnic background marrying a child/brother/sister, 69 percent indicated that they would be comfortable in the case of an Indigenous partner.[370] In a 2017 survey of Ontario residents, 79 percent of respondents reported being very or somewhat comfortable with a son or daughter marrying an Indigenous partner.[371] In the employment context, 79 percent of respondents in the CBC poll indicated that they would be comfortable working for someone of a different ethnic background.[372] When asked the same question using an Indigenous referent, a comfort level was reported by 76 percent of respondents.[373] As with the survey results concerning ethnoracialized minorities, one has to be cautious of social desirability bias when interpreting these results.

18. TRUST IN PUBLIC INSTITUTIONS

QUÉBÉCOIS | SCORE: 8

Using data from 2008, Hwang found high levels of trust for political institutions amongst francophones in Canada.[374] Her work suggests francophones have a higher level of trust for political institutions than both anglophones and other ethnic minorities. Similarly, in a 2016 Angus Reid poll, residents of Québec were considerably more likely than residents of the rest of Canada to express confidence in police and the justice system. This held true across the RCMP (77 percent to 63 percent), local police (75 percent to 62 percent), the Supreme Court of Canada (71 percent to 52 percent) and criminal courts in the province (63 percent to 38 percent).[375]

However, the Centre's Perceptions Survey provides some evidence of lower levels of political trust in Québec. Figure 18.1 shows the number of respondents that trust the health system to take care of them in a crisis. Respondents from Québec appear to have less trust in health institutions than respondents in the rest of Canada, though these differences are not quite statistically significant. Nonetheless, trust for the health system is still relatively high in Québec. About 80 percent of respondents in Québec either agreed or somewhat agreed that the public health system would protect them in a crisis.

Figure 18.1
Public health systems will protect me in a crisis (Québec and rest of Canada)
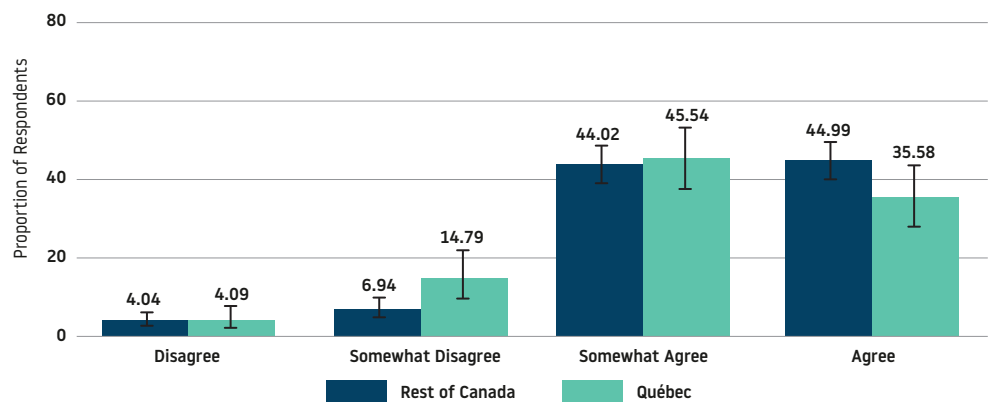
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Trust for law enforcement is relatively similar between Québec and the rest of Canada. Figure 18.2 shows the proportion of respondents that trust the police and law enforcement to enforce the law fairly. For none of the answers (agree, somewhat agree, etc.) is the difference between Quebecers and other Canadians more than three percentage points, and none of the differences are statistically significant. Notably, trust for police and law enforcement is lower amongst both Quebecers and other Canadians than it is for the health care system. Where at least 80 percent of both groups of respondents

believe that the health system can be trusted, only about 73-to-75 percent (depending on the group) believe that police and law enforcement can be trusted.

Figure 18.2
Law enforcement and the police can be trusted (Québec)

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

The Centre's Perceptions Survey suggests that trust in the judicial system in Québec is lower than in the rest of Canada, though large error bars make it difficult know for sure whether these differences are real or the product of random sampling variation. Figure 18.3 shows that the proportion of respondents that fully agree that the judiciary can be trusted is 9 percentage points lower for Quebecers than for the rest of Canadians. Overall, only about 62 percent of respondents from Québec either agreed or somewhat agreed that the judiciary could be trusted as compared to about 75 percent of respondents in the rest of Canada.

Figure 18.3
The justice system can be trusted to protect me from unfair treatment (Québec)
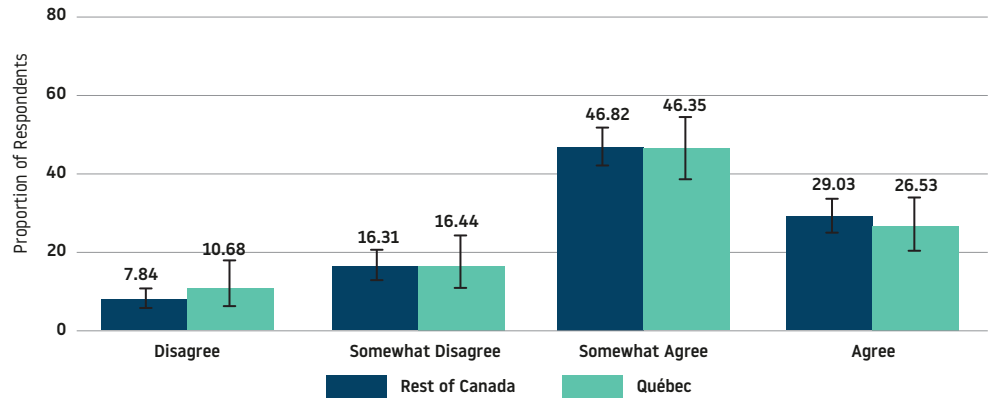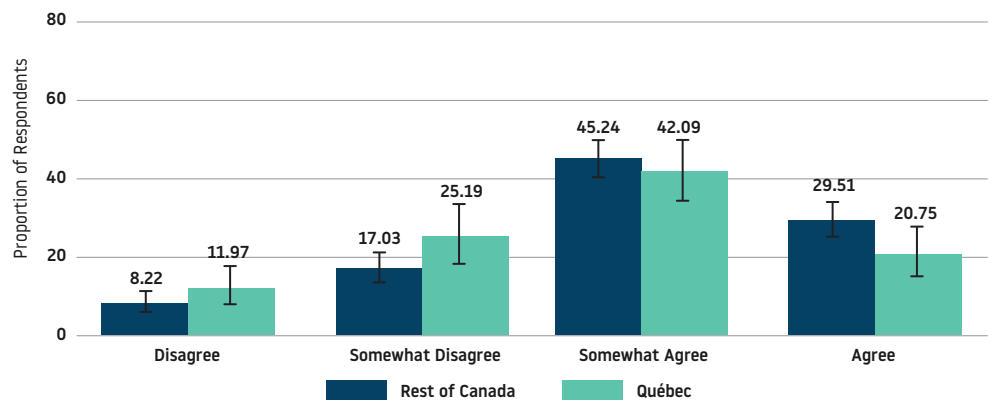

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

ETHNORACIALIZED MINORITIES | SCORE: 7

Trust in political institutions amongst immigrants and ethnoracialized minorities in Canada tends to be high, with trust in the police a notable exception. According to the 2013 GSS on Social Identity, confidence in institutions was highest among racialized people and immigrants, especially those arriving in Canada from 2000 and later.[376] While 59 percent of the non-immigrant respondents reported confidence in schools, established immigrants (arriving before 2000) had a 68 percent confidence rate, and recent immigrants had a 75 percent confidence rate. This pattern was repeated for confidence levels in courts and the justice system. Non-immigrants recorded a 54 percent confidence rating, and established immigrants had a 69 percent confidence rating. The rate was higher again for new immigrants at 79 percent. Recent immigrants also exhibited the highest confidence level in police as compared to established immigrants and non-immigrants.[377] White, Bilodeau and Nevitte found that immigrants to Canada tend to believe that Canada does a good job of protecting human rights.[378]

Evidence about trust in the police among immigrant and ethnoracialized minorities is more complex. Data from the 2008 GSS suggested that racialized minorities were less trusting than the median Canadian.[379] In the 2013 GSS on Social Identity, confidence in police did not vary between racialized minorities and the non-racialized population.[380] However, research suggests that distinctions exist between attitudes concerning the operational aspects of policing, such as enforcing laws, responding to calls and maintaining safety, and interpersonal aspects of policing, such as being easy to approach. The 2014 GSS on Canadians' Safety (Victimization) illustrated that racialized minorities rated police lower than non-racialized respondents on the interpersonal aspects of policing.[381]

More recent data have reported differences in confidence levels in police. A 2016 public opinion poll from Angus Reid found that 58 percent of racialized respondents reported having either complete confidence or a lot of confidence in police compared to 68 percent of non-racialized respondents.[382] The 2019 GSS on Canadians' Safety (Victimization) had similar results.[383] While 85 percent of racialized minorities reported having a great deal or some confidence in police, which was only slightly lower than the rate for non-racialized respondents (92 percent), the proportion of racialized respondents holding a great deal of confidence in police (35 percent) was 9 percentage points lower than for non-racialized respondents (44 percent). Members of the Southeast Asian and Chinese Canadian populations were significantly less likely to state that they had a great deal of confidence in police at 25 percent and 26 percent respectively. Black (18 percent) and Latin American (17 percent) individuals reported having not very much or no confidence in police at double the rate of non-racialized minorities (8 percent), though they were as likely as non-racialized respondents to report that they had a great deal of confidence in police. Overall, racialized respondents had 50 percent greater odds of reporting low confidence in police.[384]

In summer 2020, as the Black Lives Matter movement reacted to the murder of George Floyd, Statistics Canada undertook a crowdsourcing initiative, *Impacts of COVID-19 on Canadians: Experience of Discrimination*, which included questions measuring trust in public institutions, including police and the justice system. While this method of survey sampling cannot be generalized to the overall Canadian public nor compared directly to the 2019 GSS on Canadians' Safety (Victimization) because of the new survey's unique categories, it does point towards a change in institutional rankings. Among the 36,000 respondents, 23 percent reported having low trust in police and ranked law enforcement below the federal government, school system, public health agencies and health care system. Thirty-one per cent of racialized participants reported distrust in police, with black participants and people belonging to multiple racialized groups having the highest levels of distrust at 52 percent and 44 percent respectively.[385]

The Centre's Perceptions Survey findings largely match those of the existing literature. Figure 18.4 shows that, if anything, ethnoracialized minorities and those born outside of Canada are more trusting of the health system than the majority population, though the differences are not statistically significant. Figure 18.5 shows similar results with respect to the judicial system. The proportion of respondents that somewhat agree that the judicial system will treat them fairly is almost identical for members of the ethnic majority community, ethnic minorities, and those born outside of Canada. The proportion of those born outside of Canada who fully agree that the judiciary can be trusted, however, is 11 points higher than for the ethnic majority community, though one should be careful about reading too much into this result because of the large error bars around each group of respondents.

Figure 18.4
Public health systems will protect me in a crisis (ethnoracialized minorities and immigrants)
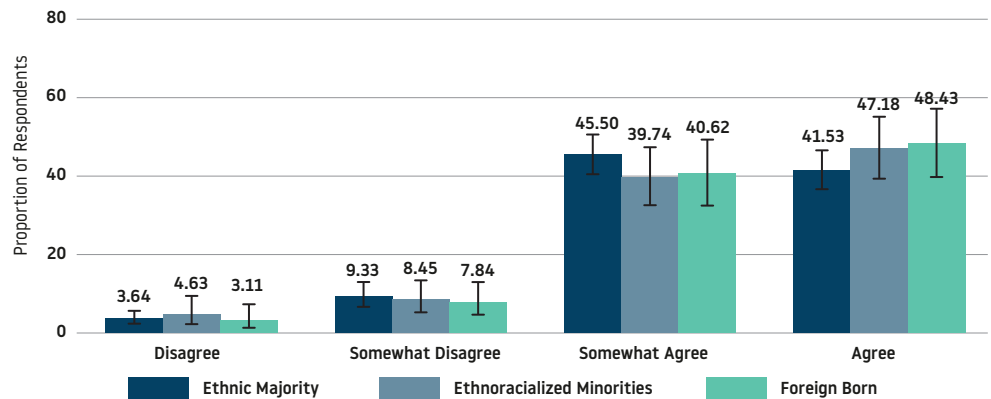
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure 18.5
The justice system can be trusted to protect me from unfair treatment (ethnoracialized minorities and immigrants)
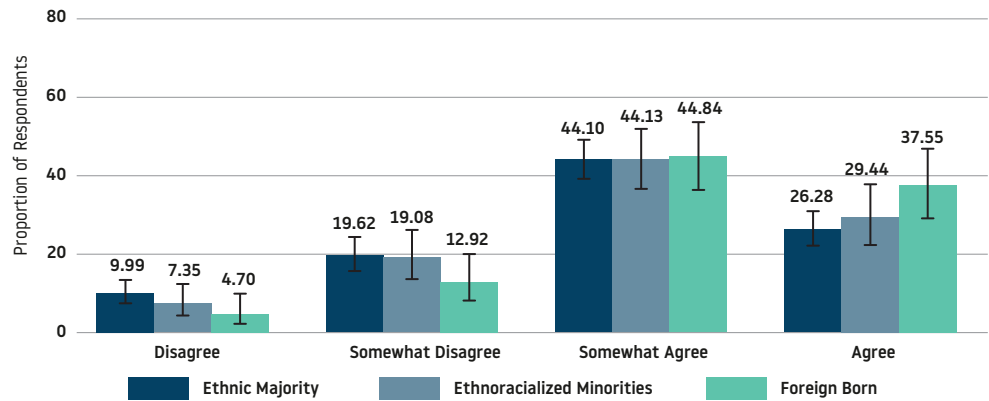
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

As with Hwang's findings, the Centre's Perceptions Survey suggests that trust for the police and law enforcement is an outlier when it comes to ethnoracialized minorities' trust for public institutions.[386] Interpretation of these results should be treated with caution because of the large error bars. Nonetheless, it is notable that, in Figure 18.6, the ethnoracialized minority category has the lowest proportion of respondents that fully agree that the police and law enforcement can be trusted to treat them fairly (by 6 percentage points) and the highest proportion of respondents that somewhat disagree (by 5 percentage point). Tellingly, trust levels in the police among these groups are lower than trust in the health and judicial systems. Nonetheless, well over half of ethnoracialized minority and foreign-born respondents either agreed or somewhat agreed that the police could be trusted to treat them equally, which may be surprising in the wake of protests against the unequal treatment of racialized minorities that sprung up across Canada in the wake of the George Floyd protests in summer 2020. As noted in the introduction to this part, the disconnect between the results shown here and the public outcry against anti-black racism on the part of the police may be a result of the low representation of respondents of African descent in the ethnoracialized minority sample as compared to individuals of Asian descent.

Figure 18.6
Law enforcement and the police can be trusted (minorities)

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
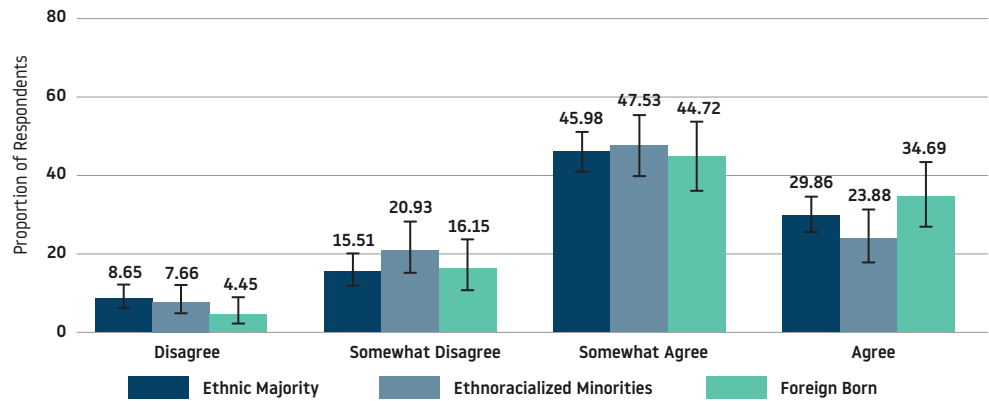*Source:* Global Centre for Pluralism, Perceptions Survey (2021)

INDIGENOUS PEOPLES | SCORE: 3

Given the general association of experiences of discrimination and low levels of trust in public institutions, it is not surprising that Indigenous Peoples exhibit high levels of distrust. Hwang, using data from the 2008 GSS, found that Indigenous Peoples have the lowest levels of trust for public institutions of any of the ethnic groups in her analysis, with less than half expressing confidence in the justice system or welfare system and only about a third expressing confidence in federal Parliament.[387] However, Hwang found higher levels of confidence amongst Indigenous respondents in the police, schools and health care system, with around two-thirds of respondents expressing confidence in such institutions. Similar findings come from analysis of more recent GSSs.[388] Low levels of trust for federal institutions are also echoed in Nikolakis and Nelson's work in which interviews with community leaders in three BC First Nations communities revealed a feeling that federal institutions, such as Indigenous and Northern Affairs Canada (which has since been split into two departments: Crown-Indigenous Relations and Northern Affairs Canada and Indigenous Services Canada), did little for Indigenous communities.[389]

While data on the public health care system is scarce, BC's 2020 *In Plain Sight* report on racism and discrimination measured feelings of safety among Indigenous Peoples across the province's health care system, including in emergency departments, hospitals, dentists' offices, doctors' offices, mental health facilities and long-term care facilities or assisted-living.[390] In general, Indigenous respondents were significantly less likely to report feeling safe in the health care system compared to non-Indigenous respondents. This trend was generally consistent across various health care settings, services and providers.

Data measuring feelings of safety in specific health care settings found that Indigenous respondents were three-to-four times more likely to report feeling "not at all safe" than non-Indigenous respondents in most settings. Rates were as high as 23 percent for assisted living and long-term care facilities and mental health facilities. Feelings of being

Data measuring feelings of safety in specific health care settings found that Indigenous respondents were three-to-four times more likely to report feeling "not at all safe" than non-Indigenous respondents in most settings.

"completely safe" among Indigenous respondents varied from 27 percent in emergency department contexts to 51 percent for dentist offices. However, disparities between Indigenous and non-Indigenous respondents were large in all settings.[391] Gender had a significant impact on feelings of safety; Indigenous women were less likely to report feeling completely safe in most health care settings compared to Indigenous men.[392]

The same dynamic marked respondents' perceptions of specific health care providers, where Indigenous Peoples were significantly more likely to feel unsafe and less likely to feel safe. More than one-in-five Indigenous respondents were likely to feel "not at all safe" when engaging with hospital social workers (26 percent), security staff (22 percent) or when using substance or mental health services (23 percent). No health care provider was rated "completely safe" by a majority of Indigenous respondents.[393] Like the data on health care settings, Indigenous women were less likely to feel safe than Indigenous men.[394]

The 2019 GSS on Canadians' Safety (Victimization) used the measures "a great deal of confidence," "some confidence," "not very much confidence" or "no confidence at all" to measure confidence in police. The results indicated that 30 percent of First Nations, Métis and Inuit respondents reported having "a great deal of confidence" in the police, representing 27 percent of First Nations people and 32 percent of Métis respondents. Among non-Indigenous respondents, 42 percent indicated that they had a great deal of confidence in police. While there were no significant differences between urban and rural Indigenous Peoples who stated that they had a great deal of confidence in police (33 percent to 25 percent respectively), Indigenous respondents from rural areas were significantly more likely (23 percent) to report low confidence in police as compared to urban dwellers (13 percent).[395]

In the 2013 GSS on Social Identity, the police received the highest confidence ratings of all institutions studied, including schools, the courts and justice system, and Parliament. This was true for both Indigenous and non-Indigenous respondents, though Indigenous respondents had less confidence in police than non-Indigenous people (68 percent to 76 percent).[396] However, there is some evidence to suggest that confidence in law enforcement is waning among Indigenous Peoples. Statistics Canada's 2020 crowdsourcing initiative on discrimination during COVID-19 found that 40 percent of Indigenous respondents expressed distrust in police as compared to 19 percent of non-Indigenous respondents.[397]

Levels of trust in courts and the justice system see some of the most significant differences between Indigenous and non-Indigenous respondents. According to the 2013 data from the GSS on Social Identity, differences between Indigenous and non-Indigenous respondents were most pronounced for courts and the justice system. Fifty-eight percent of non-Indigenous respondents stated that they had confidence in courts and the justice system, compared to 43 percent of Indigenous respondents.[398]

Environics' 2010 Urban Aboriginal Peoples Study looked more specifically at perceptions of the criminal justice system among First Nations, Métis and Inuit people. Overall, more than half of urban Indigenous respondents reported having little or no confidence in the criminal justice system, representing 57 percent of First Nations, 55 percent of Métis and 39 percent of Inuit respondents.[399] Based on other research gauging the attitudes of Canadians, the study concluded that Indigenous Peoples appear to be more than twice

as likely as Canadians in general to have low confidence in the criminal justice system, with 55 percent of urban Indigenous respondents reporting little (33 percent) to no (22 percent) confidence. Only 6 percent of Indigenous respondents reported having a lot of confidence in the criminal justice system.[400] A majority (56 percent) of Indigenous respondents favoured the creation of a separate justice system for Indigenous Peoples.[401]

Finally, Statistics Canada's 2020 crowdsourcing initiative looked not only at confidence in institutions among Indigenous Peoples but also distinguished between those who did and did not experience discrimination. While 44 percent of Indigenous respondents indicated that they had low levels of trust in the court system, the rate rose to 60 percent among those who had experienced discrimination.[402]

19. INCLUSION AND ACCEPTANCE

QUÉBÉCOIS | SCORE: 7

Assessments of acceptance and belonging in Canada with respect to Québécois individuals are complicated by Québec's unique relationship with the rest of Canada. Many Québécois consider themselves to be part of a society distinct from the rest of Canada, and Québec has been recognized as such by the federal government (in motions passed by federal Parliament in 1995 and recognizing Québec as a nation in 2006). As a result, attachment to Canada is lower in Québec than in other Canadian.[403] Academic findings in this respect are matched by a 2016 poll in which a meagre 37 percent of Québec respondents registered a deep emotional attachment to Canada.[404] That being said, Mendelsohn's work highlighted that most Quebecers have at least some attachment to Canada and that, for most Québécois, feeling Québécois is not mutually exclusive with feeling Canadian.[405] There are other similarities between Québécois and Canadian identity. Bilodeau and Turgeon found that both Québécois and Canadians in other parts of Canada define identity in attainable terms (as opposed to ascriptive).[406] This suggests that Québécois feel that one can become Québécois just as many in other parts of Canada feel that one can become Canadian.

The Centre's Perceptions Survey confirms a gap between Quebecers' attitudes toward Canada and the attitudes of other Canadians. Clear differences between respondents from Québec and from the rest of Canada emerge when one looks at whether respondents feel strong ties with other Canadians or feel glad to be Canadian. In both cases, respondents from Québec are less likely to fully agree with the statement. Figure 19.1 shows that while 59 percent of respondents from outside of Québec fully agreed that they had strong ties with other Canadians, only 33 percent of respondents from Québec did. By contrast, about 15 percent of Québec respondents somewhat disagreed with the statement while only about 7 percent of respondents in the rest of Canada did.

Questions looking at whether Quebecers feel Canadians see Quebecers as like other Canadians or whether Quebecers feel glad to be Canadian (included in Appendix A) show smaller differences between the attitudes of Quebecers and other Canadians.

Figure 19.1
I Feel I have strong ties with other Canadians (Québec)
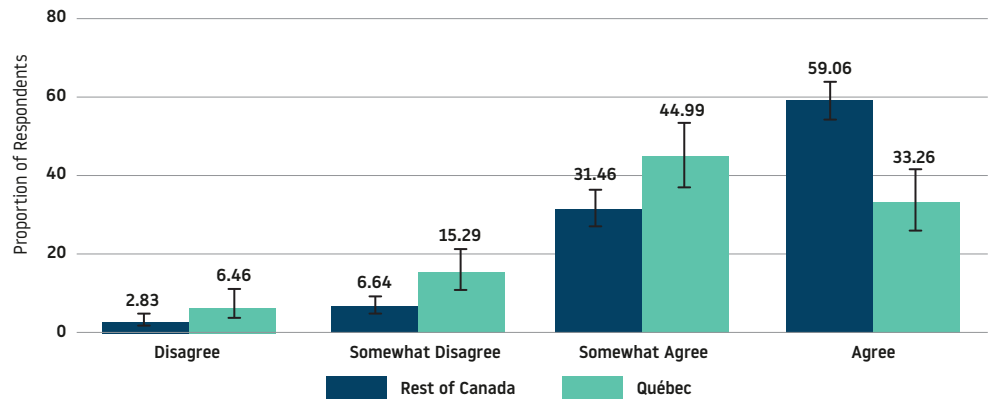
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

ETHNORACIALIZED MINORITIES | SCORE: 6

A variety of studies find striking levels of belonging among immigrant minorities. Using data from 2013, Hou, Schellenberg and Berry found that 93 percent of immigrants held a strong or very strong sense of belonging to Canada.[407] Earlier data from the 2002 Ethnic Diversity Survey also found that more racialized immigrants than white immigrants reported significant attachments to Canada. At that time, 88 percent of South Asian respondents reported a strong or very strong sense of belonging, compared to 83 percent of black and 77 percent of Chinese respondents.[408]

However, this sense of belonging is hardly universal. More exposure to the receiving country is normally associated with increasing attachment, yet Reitz and Banerjee found that the strong initial sense of belonging in Canada actually declines over time. Strikingly, they found that the second generation of all racialized immigrant groups—the children of immigrants who were born and raised in Canada—have a weaker sense of belonging than their immigrant parents.[409]

The Centre's Perceptions Survey largely matches these findings but raises concerns about the degree to which ethnoracialized minorities feel they are accepted by other Canadians. Figure 19.2 shows little difference between ethnoracialized minorities, foreign-born individuals and those identifying with the majority community with respect to whether they felt they had strong ties with other Canadians.

Figure 19. 2
I Feel I have strong ties with other Canadians (ethnoracialized minorities and immigrants)

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Only 46 percent of ethnoracialized minorities fully agree that they are fully accepted by other Canadians, and only 36 percent of those born outside of Canada fully agree.

The Perceptions Survey data on whether respondents feel like they are accepted by other Canadians is more troubling. Figure 19.3 demonstrates that only 46 percent of ethnoracialized minorities fully agree that they are fully accepted by other Canadians, and only 36 percent of those born outside of Canada fully agree. This compares to 68 percent of respondents that identify with the majority community. Where only about 6 percent of those who identify with the majority community somewhat disagree that they are accepted by other Canadians, 14 percent of ethnoracialized minorities somewhat disagree and nearly a quarter of respondents born outside of Canada somewhat disagree.

Figure 19.3
Other Canadians see me as Canadian just like them (minorities)

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
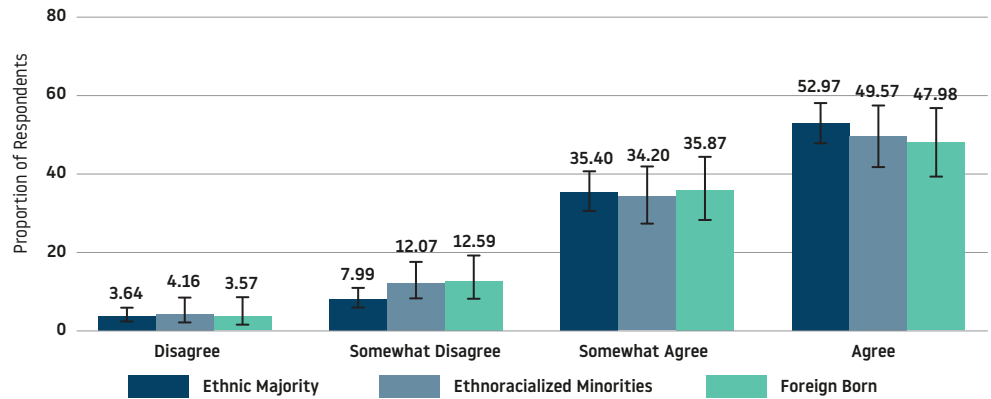*Source*: Global Centre for Pluralism, Perceptions Survey (2021)

Perceived discrimination helps explain some of these patterns, as experiences of discrimination discourage attachment.[410] Racialized persons are most likely to feel uncomfortable or out of place on the grounds of their ethnocultural characteristics or skin colour, with 24 percent feeling that way most or some of the time.[411] In 2002, 35 percent of racialized minorities reported discrimination or unfair treatment: black, South Asian and Chinese respondents reported the highest rates of discrimination at 49 percent, 34 percent and 33 percent, respectively.[412] Reitz and Banerjee found that rates of perceived discrimination among racialized immigrants increase over time and are even higher for the second generation (42.2 percent), explaining why feelings of belonging decline in that generation.[413]

The incidence of discrimination does evolve over time. Data from 2014 assessing Islamophobia found that 20 percent of Muslim respondents experienced discrimination that year, down from 28 percent in 2009. The highest rate of discrimination came in Atlantic Canada.[414] Environics' *Race Relations in Canada 2019 Survey* found that personal experiences with race-based discrimination are not uncommon. Chinese, South-Asian and black respondents reported experiencing discrimination regularly or from time to time at rates of 36 percent, 38 percent and 53 percent, respectively. The most common settings for these experiences were on the street (38 percent), in the workplace (38 percent), in school or university (29 percent), and in stores and restaurants (28 percent).[415]

The Centre's Perceptions Survey shows that while most ethnoracialized minorities and foreign-born respondents do not report experiencing discrimination (for reports of violent discrimination see indicator 16), rates of non-violent discrimination are still concerning. Figure 19.4 shows that just over a quarter of ethnoracialized minorities report experiencing non-violent discrimination, while about a fifth of those born outside of Canada report experiencing non-violent discrimination. As noted earlier in the report, instances of violent discrimination are rare but still concerning.

Figure 19.4
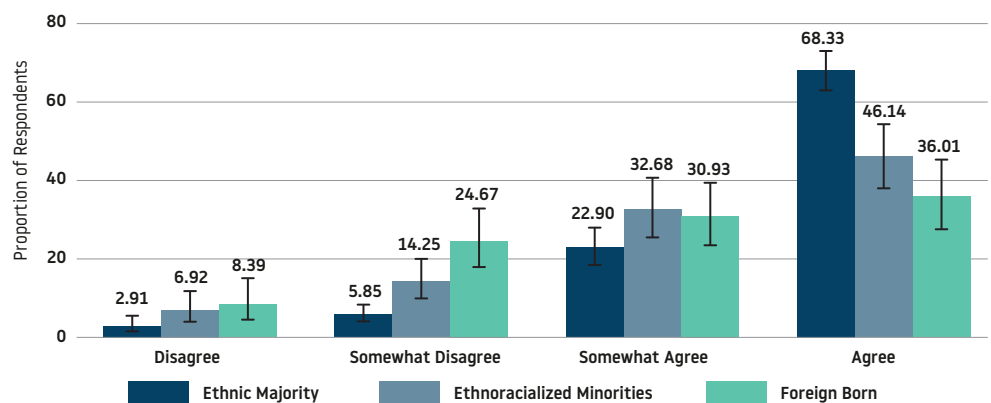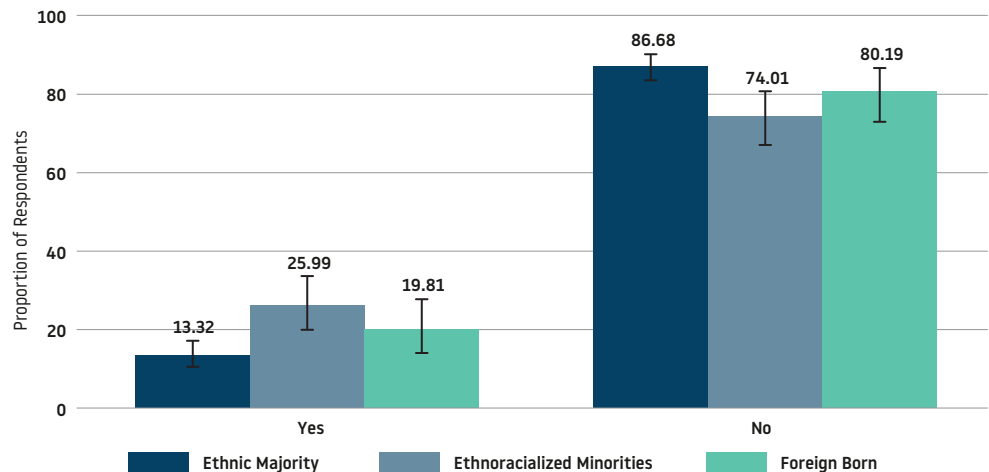**Have you experienced non-violent discrimination? (ethnoracialized minorities and immigrants)**

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

The emergence of COVID-19 shifted some of these patterns, bringing a rise in discriminatory behaviour towards many racialized groups and a corresponding impact on feelings of acceptance. According to a 2020 Angus Reid survey of Canadians of Chinese ethnicity, 50 percent of respondents reported having been insulted or called names as a direct result of COVID-19, 43 percent stated that they had been threatened or intimidated and 30 percent stated that they had frequently been exposed to racist content on social media.[416] A majority of respondents felt that Canadians blamed people of Chinese ethnicity for COVID-19, and 29 percent said that they had been made to feel like a threat to the health and safety of others. More than six in ten had changed their daily routines to avoid conflicts and negative encounters with others. These experiences of discrimination affected how respondents believed they were perceived by other Canadians. Only 13 percent of those surveyed reported feeling that others viewed then as fully Canadian "all of the time" and one-in-four respondents stated that they felt like outsiders in Canada. Nonetheless, despite experiencing significant feelings of exclusion, respondents expressed very strong ties to Canada, with 88 percent stating that "being Canadian is an important part of my identity," and 84 percent reporting "a strong sense of belonging to Canada."[417]

INDIGENOUS PEOPLES | SCORE: 5

Environics' *Race Relations in Canada 2019 Survey* asked Canadians to identify (without prompting) racialized groups that are the most frequent targets of discrimination or unfair treatment. The most cited group was Indigenous Peoples, though only 23 percent of respondents identified them as experiencing discrimination.[418] When respondents were prompted to reflect on whether Indigenous Peoples experience discrimination, 39 percent stated that they believed unfair treatment occurs often, and 38 percent reported that it happens occasionally. Only 3 percent indicated that discrimination against Indigenous people "never" happens.[419] Canadians were less likely to believe that racial discrimination is systemic and more likely to believe that its root cause is the prejudicial attitudes of individuals, though many Canadians also recognized that Indigenous Peoples are treated less fairly than members of the white population in various institutional settings, including health care and the criminal justice system.[420]

When asked about their perceptions of discrimination against members of their own group, 73 percent of Indigenous respondents stated that group members are treated unfairly based on their culture or race at least some of the time, with 38 percent indicating that unfair treatment occurs often. First Nations respondents were most likely to report that they believe group members experience discrimination often at 46 percent compared to 28 percent of Métis respondents.[421] When asked about their own personal experiences of discrimination, 53 percent of Indigenous respondents stated that they face discrimination regularly or from time to time.[422] Thirty percent of Indigenous respondents indicated that Canadian race relations have worsened over the last 10 years.[423]

A 2020 survey of non-Indigenous Quebecers undertaken by the AFN Quebec-Labrador yielded similar results. Notably, however, 70 percent of respondents identified systemic discrimination against Indigenous Peoples as a problem, citing unfair treatment in Québec social structures, including schools, the justice system and health care. Overall, 92 percent of non-Indigenous Quebecers reported believing that Indigenous people

experience racism and discrimination in the province, though 61 percent stated that they had never engaged in racist behaviour towards Indigenous Peoples, and 58 percent disagreed with the statement that people around them sometimes make discriminatory or racist comments about Indigenous Peoples.[424]

There are limited data on the issue of feelings of inclusion and acceptance among Indigenous Peoples in Canada, though there is some evidence to suggest that feelings of exclusion are prominent. In a 2019 CBC poll, 67 percent of Indigenous respondents replied "no" to the question: "Do you feel that the federal government respects your community and identity?" Sixty-six per cent of Indigenous respondents indicated that they did not feel like a respected part of Canada.[425] Data from a 2021 Angus Reid poll found that 30 percent of Indigenous respondents stated that they felt like an outsider in Canada, compared to 29 percent of racialized minorities and 17 percent of Caucasians.[426] On the issue of belonging, Soroka, Johnston and Banting found that Indigenous Peoples register a lower sense of belonging than both members of the majority community in English Canada and racialized minorities.[427] However, survey data from 2019 found that 55 percent of Indigenous respondents had a very strong sense of belonging to Canada, which was not only higher than their sense of belonging to their province/territory (46 percent) and neighbourhood (38 percent), but higher than the comparable rate for racialized individuals at 48 percent.[428]

20. SHARED OWNERSHIP OF SOCIETY

Having a shared stake in responsibility for and ownership of society requires that individuals see themselves and are seen by others as legitimate actors. It entails the ability to participate in decision making and a belief that participation can influence decision making. Canadians generally have relatively low expectations about their political role. In 2016, 62 percent of respondents agreed that it was impossible for them to have any real influence over the political decisions that affect them.[429] In a more recent poll, only 56 percent of respondents agreed that voting gives them a say in how the country is run, while a mere 44 percent believed that ordinary people can influence government.[430] Interestingly, Indigenous and immigrant respondents in that survey placed more faith in the ability of ordinary people to influence government at 49 percent and 63 percent respectively than members of the majority community (43 percent).[431]

QUÉBÉCOIS | SCORE: 7

Like with measuring trust in institutions, understanding whether Québécois individuals have a similar belief in shared ownership in society is complicated by federalism and Québec's unique national identity. Québécois individuals may feel a shared ownership in Québec society and that they have a say over decision-making in Québec but less so in federal institutions.

The Centre's Perceptions Survey provides some limited evidence that Quebecers believe they have more of a say in decision-making than those in the rest of Canada. Figure 20.1 shows that about 56 percent of respondents in Québec somewhat agreed that people like them have a say in the direction of the country. This compares to just 39

percent in the rest of Canada. The gap between Quebecers and respondents in the rest of Canada is not made up by those that fully agree. Quebecers are only 5 percentage points less likely than respondents in the rest of Canada to fully agree that people like them have a say in the direction of the country, and that difference is not statistically significant. By contrast, just under 16 percent of respondents in the rest of Canada somewhat disagreed with the statement, while only about 7 percent of Quebecers do, and that difference is statistically significant. The Centre's Perceptions Survey also includes questions on whether respondents feel democracy is working in Canada and whether they can find a party that supports their views. These are weaker measures of shared ownership and so are presented in Appendix A.

Figure 20.1
People who share my background have an adequate say in the direction of the country (Québec)
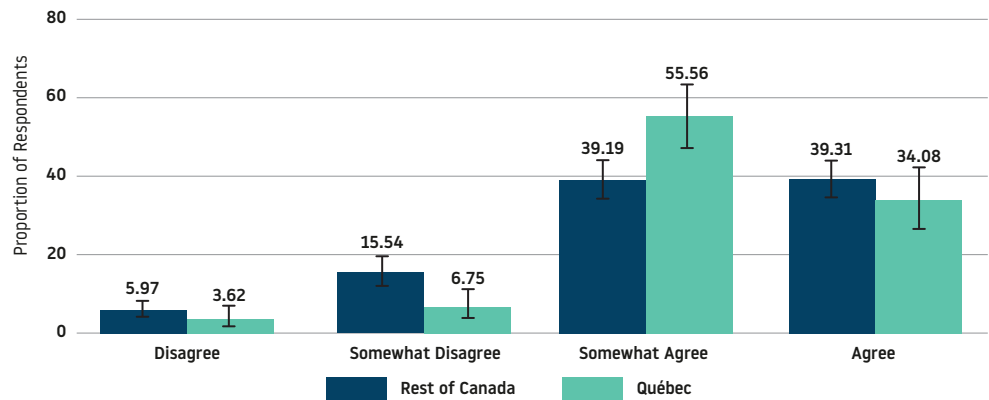
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

ETHNORACIALIZED MINORITIES | SCORE: 8

A majority of Canadians supports the right of immigrants to participate in decision-making, with 62 percent of respondents agreeing that recent immigrants should have an equal say about Canada's future and 67 percent disagreeing that they become angry when recent immigrants demand the same rights as Canadians.[432]

A 2018 IPSOS poll supports this data. The survey, which was conducted in 27 countries, sought to determine which types of people were considered "real" nationals and included measures to gauge the social acceptance of religious minorities, immigrants and non-citizens. In assessing attitudes about religious diversity, respondents were asked whether members of various religions were "real" Canadians. Canada was one of only four countries where at least 50 percent of those surveyed considered members of all religious groups named to be "real" nationals.[433] Two-thirds of those surveyed indicated that naturalized citizens were "real" Canadians, though the score was considerably lower for both legal and undocumented non-citizens. Canada was one of 15 countries

that considered members of the second generation, the children of immigrants, to be "real" nationals.[434]

Once again, belief in the legitimacy of others in not universal. Survey data from 2019 asked respondents whether people born and raised in Canada should have a greater say in government than naturalized citizens. More than one-third of respondents agreed, as did 49 percent of Indigenous respondents.[435]

The Centre's Perceptions Survey suggests, at most, limited differences between ethno-racialized minorities and members of the majority community. Figure 20.2 shows that ethnoracialized minorities and respondents born outside the country are slightly more likely to fully agree that people like them have a say in the direction of the country than those who identify with the majority community. These differences, however, are not statistically significant and are made up for by a larger number of respondents from the majority community that somewhat agree that people like them have a say in the direction of the country. It is notable that the vast majority of ethnic minorities and respondents from outside of Canada at least somewhat agreed that people like them have a say in the direction of the country.

Figure 20.2
People who share my background have an adequate say in the direction of the country (ethnoracialized minorities and immigrants)
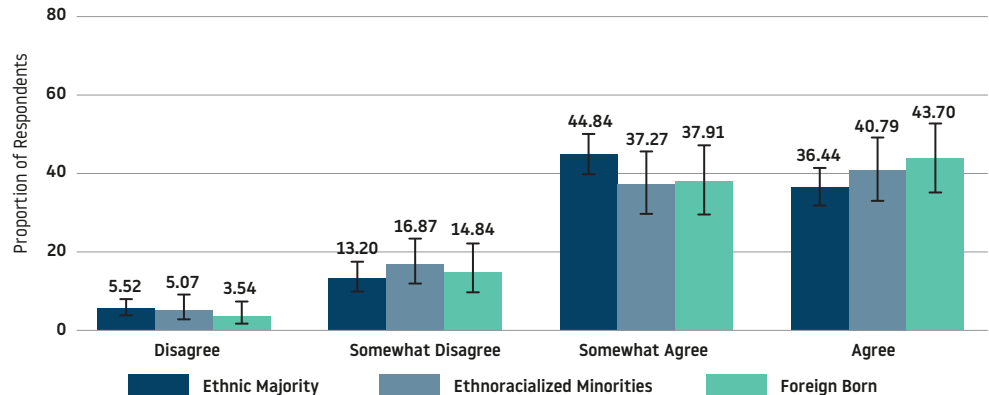
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

INDIGENOUS PEOPLES | SCORE: 5

While the IPSOS cross-national survey deemed Canada's conception of nationality to be the most inclusive, it did not address the distinctive claims of Indigenous Peoples. Survey data suggest that the position of Indigenous Peoples is routinely delegitimized by many Canadians. In 2016, only 52 percent of non-Indigenous respondents agreed that Indigenous Peoples have unique rights as first inhabitants, with 41 percent characterizing them as just another ethnic or cultural group.[436] Similarly, in 2018, only 47

In 2016, only 52 percent of non-Indigenous respondents agreed that Indigenous Peoples have unique rights as first inhabitants, with 41 percent characterizing them as just another ethnic or cultural group.

percent of respondents agreed that Indigenous Peoples possess a unique status based on their standing as original inhabitants.[437]

As noted earlier, the Centre's Perceptions Survey did not have enough respondents to allow for an analysis of Indigenous Peoples' attitudes. However, it is notable that work on political trust suggests that many Indigenous leaders have low levels of confidence in the efficacy of Canada's political institutions. This comes through in Nikolakis and Nelson's work in which Indigenous community leaders suggested federal institutions such as INAC did little for their communities.[438] Survey data from 2019 provides a glimpse into the perspectives of Indigenous Peoples on the workings of government. While 64 percent of Indigenous respondents indicated that they preferred democracy to any other form of government, only 55 percent believed that Canada is actually run democratically compared to 80 percent of newcomers and 65 percent of racialized minorities. In terms of citizen impact on governance, as noted above, 49 percent of Indigenous Peoples stated that they believed ordinary people can influence government; however, 62 percent indicated that the government favours established interests.[439]

Indigenous responses on the issue of political dissent were also notable. Only 45 percent of Indigenous respondents felt that Canada has the right amount of freedom to express political views without fear compared to 59 percent of racialized minorities and 57 percent of newcomers to Canada.[440] Additionally, Indigenous respondents were significantly more likely to believe that those who disagree with the majority represent a threat to Canada.[441] Finally, Indigenous respondents viewed populist appeals more favourably than any other group. When asked about their propensity to vote for a candidate with strong anti-government views, Indigenous respondents (32 percent) were significantly more likely to answer favourably compared to racialized minorities (18 percent) and newcomers (21 percent).[442]

RECOMMENDATIONS

LEGAL COMMITMENTS

Address concerns raised by the UN Human Rights Committee over the lack of legal protections and due process in counterterrorism legislation by reviewing the procedural safeguards in the Immigration and Refugee Protection Act. Additionally, the federal government should reconsider Canada's reliance on immigration legislation to deal with terrorism, rather than relying on Criminal Code sanctions.

Address the overrepresentation of black and Indigenous Peoples in the incarceration system. At a minimum, the sentencing procedures in 718.2 (e) of the Criminal Code should be reviewed, and the section should be applicable to black offenders.

We encourage the Québec government to reconsider its ban on new public servants wearing religious symbols. At a minimum, we encourage a narrowing of the range of officials covered by the ban.

Provincial governments should adopt employment equity legislation similar to the legislation in place at the federal level, including the reporting practices established in it.

We welcome the federal government's commitment to implement UNDRIP, and we urge that associated legislation comply with UNDRIP principles and be implemented at federal, provincial, and territorial levels of government.

Legislation governing temporary and seasonal foreign workers should be reviewed and amended with an eye to addressing the working and living conditions of such as workers as well as their vulnerability to exploitation by employers. This is particularly important in the wake of the COVID-19 pandemic during which temporary foreign workers in the agriculture and food industries were particularly vulnerable to outbreaks of COVID-19.

EFFORTS AND PRACTICES

Repeal/amend what remains of the Zero Tolerance for Barbaric Cultural Practices Act and any other legislation that stereotypes Muslim Canadians.

Follow through on commitments to negotiate land claims agreements with Indigenous Peoples. These processes are much too slow. Federal and provincial governments should make a greater effort to resolve disputes with Indigenous Peoples regarding land claims and resource development projects.

Many government agencies need to take active steps to close gaps in what we know. A few examples identified in this report illustrate the range of missing information: data on police interactions with ethnoracialized/religious minorities, data on school discipline to track the school-to-prison pipeline, data systematically comparing on-reserve/

off-reserve Indigenous persons and reliable data on the representation of racialized/religious minorities in provincial legislatures and municipal councils. The COVID-19 pandemic has highlighted the particular need for data collection to understand inequalities in access to health care and how socio–economic inequalities are affecting health-related inequalities. In addition, we urge Statistics Canada to reinstate the disbanded Canadian Ethnic Diversity Survey and to consider including Indigenous Peoples.[443]

There are some institutional foundations on which to build in this regard. The First Nations Information Governance Centre (FNIGC) is a non-profit First Nations organization whose mandate is to build capacity and provide credible information on First Nations. Though it lacks core funding to coordinate the collection of all Indigenous data, in 2018, it received $2.5 million dollars to develop a national data governance strategy in accordance with OCAP principles and coordinate the development of regional data governance centres.[444] The FNIGC also supports the development of information governance at the community level through regional and national partnerships and is responsible for several surveys, including the First Nations Regional Health Survey and the First Nations Regional Early Childhood, Education, and Employment Survey.[445]

LEADERSHIP FOR PLURALISM

Efforts should be made to address systematic racism within media coverage. Greater efforts should be made to diversify the perspectives that are presented to Canadians and to cover stories that are important to ethnoracialized minorities and Indigenous Peoples. In particular, more needs to be done to include stories of importance to Indigenous Peoples in news reporting and to include the effects of different stories on Indigenous Peoples in reporting.

Authorities should pay careful attention to the growing xenophobic subculture in Canada. Federal and provincial governments should carefully monitor the threat to public safety posed by white supremacist and ethnonationalist organizations that often target ethnoracialized minorities, religious minorities and Indigenous Peoples with violence.

Canadian corporations should make greater efforts to increase ethnoracialized minority and Indigenous representation on their boards.

The weaknesses of existing federal and provincial employment equity legislation should be addressed. The federal program needs more vigorous enforcement. However, the greatest gap lies in the uneven action by provincial governments, which regulate at least 85 percent of the Canadian labour force.

GROUP-BASED INEQUALITIES

Encourage efforts to close remaining gaps in the representation of ethnoracialized and religious minorities at all levels, including municipal, provincial and federal governments. In the case of Indigenous Peoples, develop mechanisms of consultation with those who choose not to participate in the functioning of what they see as the settler state.

Respond to the severe economic and social disparities, including lack of access to clean drinking water, between Indigenous and non-Indigenous communities. Raise funding levels for reserve schools to provincial levels and equalize funding for children's services between non-Indigenous and Indigenous communities.

End the use of birth alerts in Canada. Take steps to address family reunification and to provide prenatal and post-natal support for Indigenous mothers.

Lead family reunification efforts for Indigenous children who were wrongly removed from their families and communities through the operation of the child welfare system.

Ensure adequate funding for Indigenous Peoples to assume responsibility for child and family services as provided by Bill C-92. Clarify the applicability of the legislation authorizing Indigenous control of child welfare services to Indigenous children who do not live in reserve communities.

Ensure that sexual sterilizations only occur with free, prior and informed consent and provide reparations to affected Indigenous women.

Address deficiencies in the availability of legal aid to promote access to justice and greater consistency across provinces and territories.

Address the unequal application of Canada's laws concerning polygamy and examine the basis on which it is treated differently than polyamory.

School boards and provincial governments should review their approaches to diversity within the education system and curricula. Particular attention should be paid to the way systematic racism affects the way that ethnoracialized and Indigenous students face discipline within the education system.

Provincial governments should review and adjust their policies and practices on health care delivery in response to concerns of systematic racism within the health care system. Particular attention should be paid to whether ethnoracialized minorities and Indigenous Peoples have equal access to healthcare services and the way that healthcare providers treat ethnoracialized minorities and Indigenous Peoples.

INTERGROUP RELATIONS

To respond to the troubling increase in hate crimes in recent years, we support active community building between police and ethnoracialized/religious minorities to encourage reporting, as well as continued police training to recognize and record hate crimes.

Data collection on hate crimes could be improved by accounting for the way in which crimes can be motivated by intersecting identities and the number of victims a crime is committed against. It would be useful for police to report the number of people victimized by hate crimes in addition to the number of hate crimes committed and to record the multiple motivations for hate crimes when multiple motivations exist.

APPENDIX A.
ADDITIONAL DATA FOR PART V

1. INTERGROUP TRUST

The analysis on trust in the main document focuses largely on trust for different minority groups. However, it also useful to have a sense of how generalized trust differs between different minority groups. We include a discussion and figures comparing levels of generalized trust for Quebecers and English Canadians as well as ethnic majority, ethnic minority and respondents born outside of Canada below.

Figure A.1 shows that generalized trust in Québec is broadly comparable to generalized trust in the rest of the Canada (ROC). In both the ROC and Québec, small numbers of respondents disagreed or somewhat disagreed with the statement that most people can be trusted. There was a slight difference in the strength of agreement in the two communities. A larger proportion of respondents in the ROC fully agreed that most people can be trusted than in Québec, where more respondents only somewhat agreed. However, the difference between the two groups in that category is not quite statistically significant.

Figure A.1
Agreement that most people can be trusted (ROC and Québec)
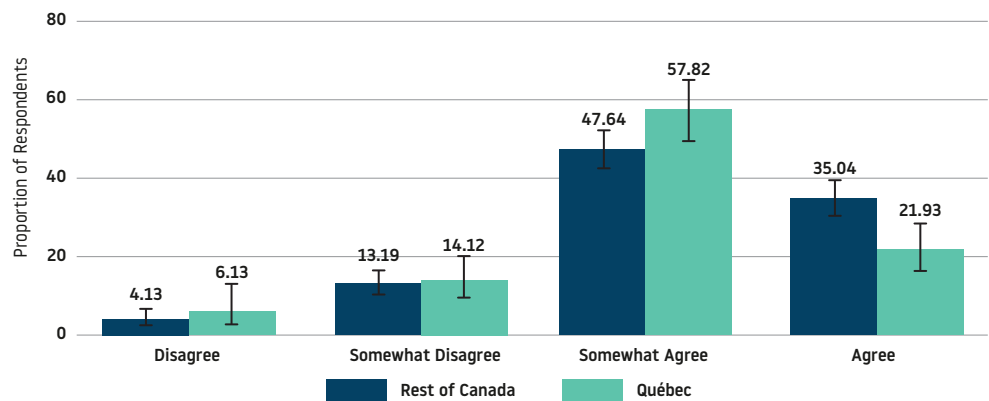
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Canadians' high levels of *generalized* trust extends across many of the groups that make up the population. For example, Bilodeau and White found that newly arrived non-citizens exhibit higher levels of trust than the Canadian-born population and that generalized trust is not affected by racialized status, treatment in Canada or length of residence.[446] Work by Dilmaghani suggests that non-Christian and immigrant groups

have similar levels of trust in others as majority groups within Canadian society.[447] In a lost-letter experiment (which tests levels of trust by measuring the rate of lost letters that are returned), Hampton also found that, in Canada, lost letters are more likely to be returned in more diverse neighbourhoods.[448] The more recent Perception Survey also finds little difference in levels of generalized trust between the majority community and ethnoracialized minorities (Figure A.2).[449]

Figure A.2
Agreement that most people can be trusted (ethnoracialized minorities and immigrants)

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

As a robustness check for our analysis of whether respondents were comfortable marrying someone from a different ethnicity or religion, we looked at comfort with having a boss or supervisor from such groups. Responses to this question were similar to the question on marriage and are shown in Figures A.3 and A.4 below.

Figure A.3
Comfort with a boss or supervisor from a different religion (ethnoracialized minorities and immigrants)
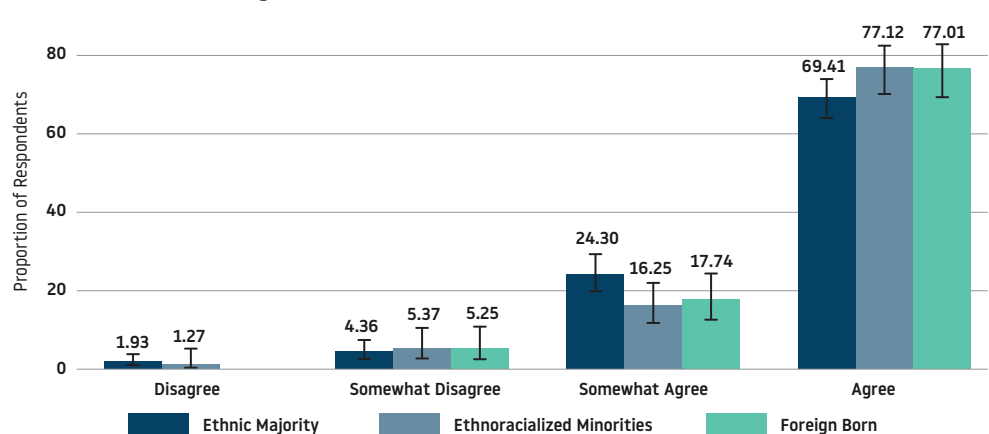
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure A.4
Comfort with a boss or supervisor from a different ethnicity (ethnoracialized minorities and immigrants)
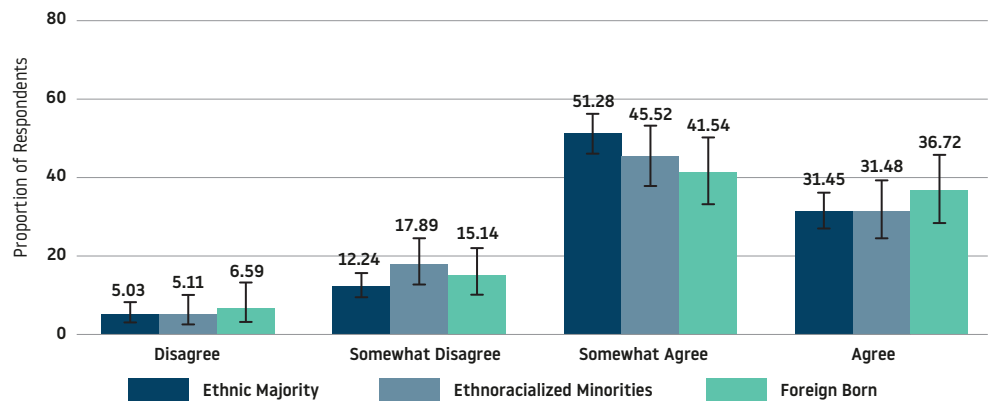

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

2. INCLUSION AND ACCEPTANCE

In addition to looking at whether respondents had strong ties to Canada, we looked at whether respondents felt other Canadians saw them as just like other Canadians and whether respondents felt glad to be Canadian. The results of such analysis are presented here.

Figure A.5 shows a difference between the estimated number of Quebecers who fully agree that "other Canadians see them as Canadians just like them" and the number of Canadians who fully agree with the statement. Where about 67 percent of respondents in the rest of Canada agree with the statement, only about 57 percent of respondents in Québec fully agree. These differences, however, should be treated with caution as they are not statistically significant.

Figure A.5
Other Canadians see me as Canadian just like them (Québec)

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure A.6 shows that while 83 percent of respondents in the rest of Canada fully agreed that they were glad to be Canadian, only about 61 percent of respondents in Québec fully agreed. This does not necessarily mean that Quebecers have a large amount of hostility towards Canada. Notably the difference between Québec and the rest of Canada in the fully agree category is made up for by a larger proportion of Québec respondents that somewhat agreed that they were glad to be Canadian.

Figure A.6
I am Glad to be Canadian (Québec)
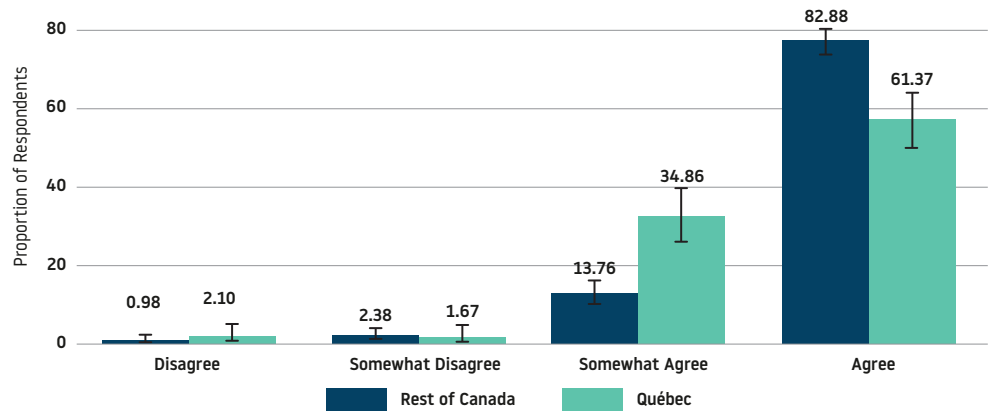
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure A.7 shows that most respondents fully agreed that they were glad to be Canadian and shows little difference between ethnic minorities, those born outside Canada and those that identify with the majority community. The minor difference in responses is not statistically significant.

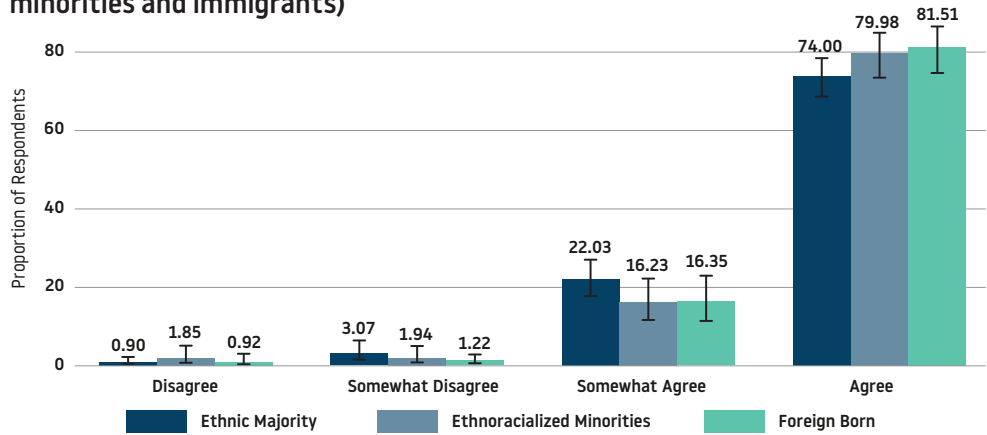**Figure A.7**
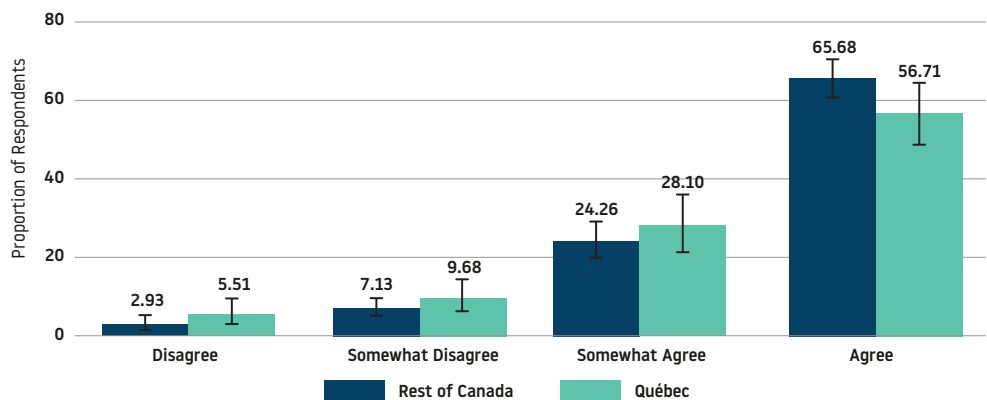**I feel glad to be Canadian (ethnoracialized minorities and immigrants)**
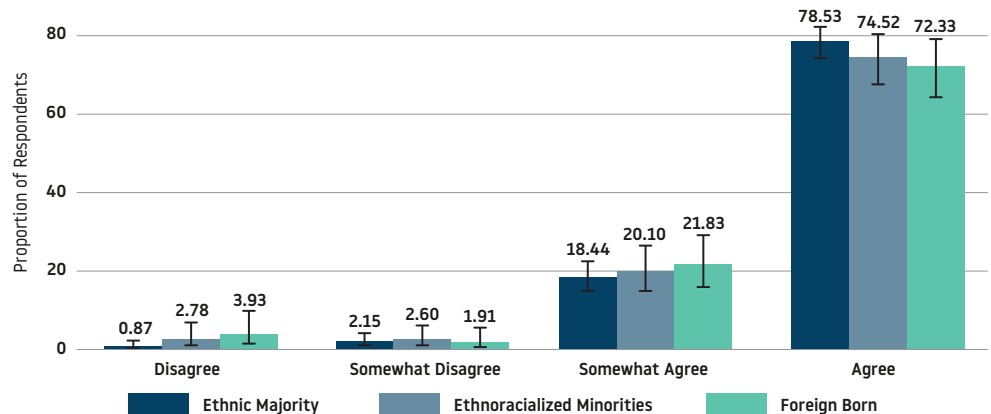
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

3. SHARED OWNERSHIP OF SOCIETY

In addition to asking whether respondents believe they have a say in the direction of the country, shared ownership could be captured by asking whether respondents feel democracy works well or whether they can find a party that represents them. These are weaker measures of shared ownership and thus are presented in this appendix.

Figure A.8 shows that Quebecers are less likely than to say that democracy works well in Canada. Only a quarter of respondents in Québec agreed with that as compared to 37 percent of respondents in the rest of Canada. Quebecers were also no more likely than respondents in other countries to find at least one political party that represents them well. Figure A.9 shows that only 32 percent of Quebecers agreed that they were able to do so as compared to just under 37 percent of respondents in the rest of Canada, though that difference is not statistically significant.

Figure A.8
Democracy works well in Canada (Québec)

Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure A.9
At least one major political party represents my views (Québec)
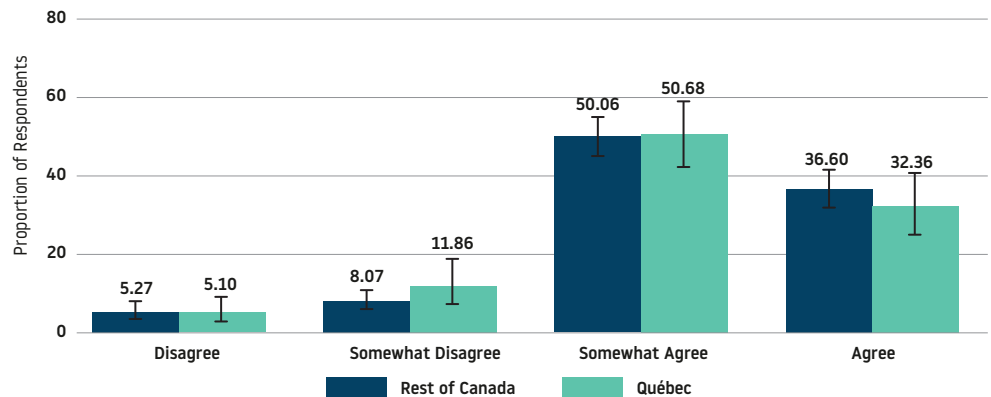
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figures A.10 and A.11 show that ethnic minorities and respondents from outside of Canada are no less likely than respondents from the majority community to believe that Canadian democracy works well or to be able to find a party that represents them. If anything, those born outside of Canada are a little more likely to say that democracy works well or that they can find a party that represents them well, though these differences are not statistically significant. Ethnic minorities are a little less likely than those in the majority community to be able to find a major party that represents them well, but these differences are not statistically significant. It is notable that just over 80 percent of ethnic minority respondents at least somewhat agreed that they could find a party that represents them.

Figure A.10
Democracy works well in Canada (ethnoracialized minorities and immigrants)
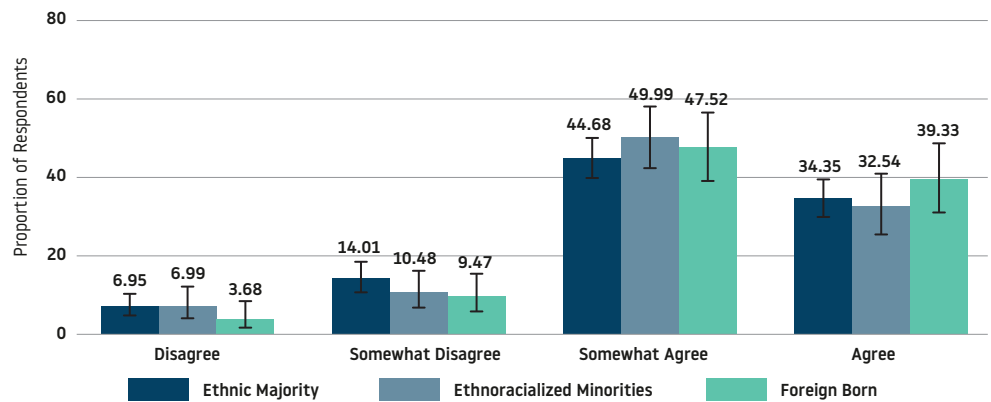
Note: Confidence ranges are for a 95 percent confidence level using logit transformed confidence levels.
Source: Global Centre for Pluralism, Perceptions Survey (2021)

Figure A.11
At least one major political party represents my views (ethnoracialized minorities and immigrants)
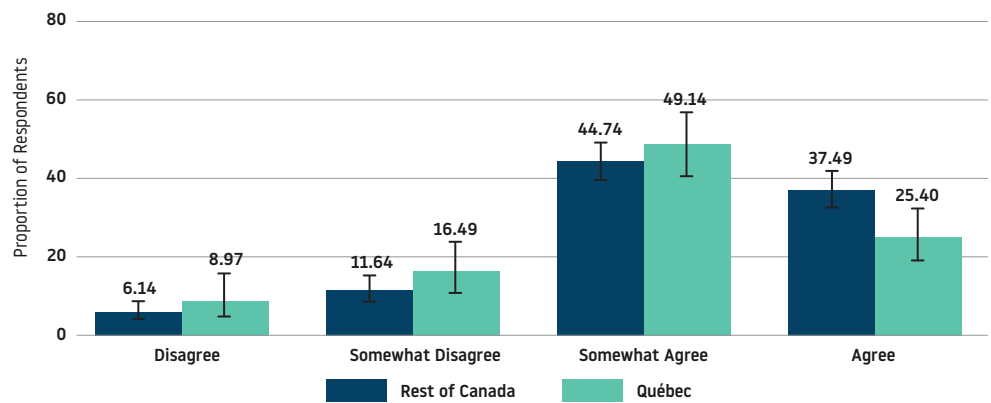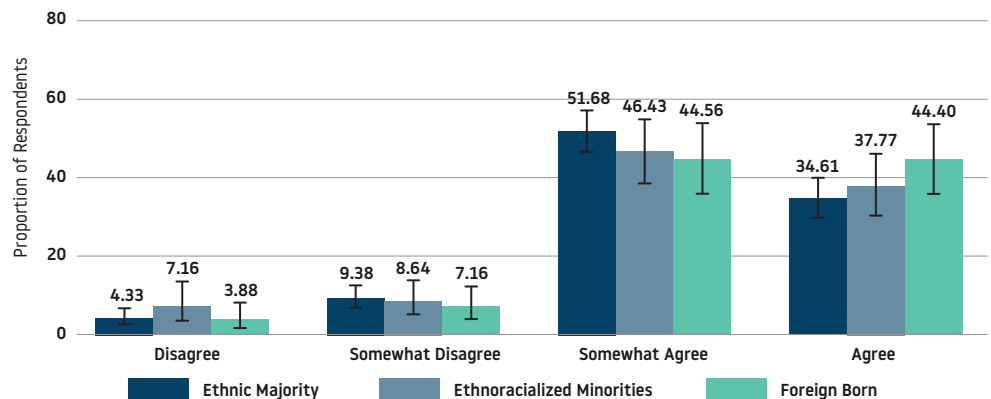

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