Canadian Multiculturalism:

LESSONS FOR THE MANAGEMENT OF CULTURAL DIVERSITY?

ABSTRACT

In this article, Denise Helly describes what makes Canada distinct in terms of multicultural and immigration policy, and then analyzes some of the lessons learned. She explains why the Canadian model may not be suitable for France, but also how European countries can obtain useful knowledge and understanding about diversity from studying Canada's approach.

The successful adoption of a Canadian policy of multiculturalism was dependent on five favourable conditions that historical factors made possible. This special situation makes multiculturalism, as we understand it in Canada, unexportable. Yet European countries can benefit from lessons learned in the public management of cultural diversity, even if this policy has some flaws.

The conditions are as follows:

- The establishment of migratory-movement controls, i.e. an immigration policy that sets entrance levels according to labour market needs;
- A non-discriminatory integration of immigrants in the labour market;
- The reduction of all ethno-national ideologies;
- The construction of a culture and a legal system that values individual rights, including the rights of non naturalized immigrants;
- The development of a sociological conception of the process of socio-cultural adaptation of immigrants and the idea of equal opportunity (formal equality vs. social reality)

The control of migratory movements

Due to 20 years of growing illegal immigration and the expansion of the Union to Eastern Europe, this issue is currently being debated. However, a European immigration policy to control migratory movements and the selection of immigrants seems difficult to establish given differing national interests and a problem that Canada has not experienced, the control of borders.

The European Union is at a crossroads of migratory flows from Asia, the Middle East and Africa, and any armed control of borders such as those established in the Mediterranean would only be illusionary. Also, the Union is faced with elevated migratory flows that are disproportionate to its job-creating capacity. Although it could integrate skilled immigrants into the service sector, it does not manage to attract them for two reasons that put it in direct competition with North America in the market of skilled immigrants: the absence of clearly defined selection policies, and the inequality of the social and symbolic status of immigrants. A selection policy could certainly raise the following question (not present in Canada): Is it right to keep draining skilled labour out of non-Western countries?

Despite the disadvantages, immigration is often considered a solution to the "demographic deficit" in Europe. This is in fact not true because the required immigration levels would be so high that they would provoke a very negative reaction in public opinion and increase unemployment. Other solutions, some definitely unpopular, are possible: increase the labour force participation rate (a solution proposed by the OECD in September 2003[1]), reform pension plans, reduce social costs (e.g. health insurance) and increase productivity.

Both of these difficulties, the lack of regulatory control over migratory movements and porous borders, are non-existent in Canada. Canada and the United States have historically been regions of demographic and economic development through immigration. Canada's selection policies date back to the 1960s. This means that immigration is an essential element of the Canadian reality, where immigration levels are among the highest in the Western world. In Canada, half of all immigrants are selected according to their education, knowledge of one of the official languages and age, and a large proportion of them have a university degree and hold high-status positions (professionals). The country of origin of these immigrants is wide ranging and varies depending on the province of residence.

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Canada enjoys a favourable geographic situation as far as illegal immigration is concerned. Its only porous border is the one with the United States where immigrants prefer to go. As for the US, it has two borders that are as porous as those of the European Union, the one with the Caribbean and especially the one with Mexico. However, given the deregulation of the labour market, illegal immigration is useful, if not necessary, to the American economy.

The incorporation of immigrants and their descendants into the labour market

The European Union's major difficulties do not justify the discrimination of immigrants in the labour market. This includes protectionism in employment by the quasi-closure of civil service positions to immigrants except in Great Britain, non access to professions (37 in France), racism or xenophobia in employment, and deficient education or professional job training for second generation immigrants, often in ethnically segregated establishments – especially in France – given the residential segregation of the working class in French cities (Felouzis, 2003).

In Canada, discrimination against immigrants in the labour market has always existed and a distinction is made between direct, indirect and systemic discrimination. As in all Western countries, direct discrimination according to phenotype, cultural or national origin, religion (or gender, age, sexual orientation or disability) is against the law. There is also indirect discrimination when a policy produces an unfair effect for a group of individuals for which the law prohibits such discrimination, e.g., religious minorities, even if the policy had not expressly intended to do so. The Supreme Court of Canada gave legal value to indirect discrimination and defined it as "discrimination by prejudicial effect" in a 1985 decision *(Ontario Human Rights Commission vs. Simpson Sears Ltd [1985] 2 S.C.R. 536).* The most often cited example is the weight or height requirement for the position of police officer or firefighter.

As for systemic discrimination, it was recognized during the 1980s. The federal government[2], especially the municipalities with high percentages of immigrants, adopted employment equity programs with convincing results (which partly explains the growing anti-immigration lobby in English Canada). Yet studies show the continued existence of systemic discrimination for racialized[3] groups because these programs were never imposed on the private sector, except in the case of contractual obligation.[4]

Between 1971 and 1991, non-Europeans were disadvantaged in the labour market; their income was some 8% lower when compared with individuals from European countries, having the same age and education levels (Pendakur, 2000). Currently, the percentage of individuals who are "visible minorities" holding a post-secondary degree is higher than that of other Canadians. Thus, one would expect that this would be reflected in the breakdown of occupations, but this is not the case. Only the business and engineering sectors show similar employment rates between racialized and European groups (Kunz, Milan and Schetagne, 2001). The computer and advanced technologies sectors are the only real cultural mosaics in terms of the makeup of their personnel. And in Québec, visible minorities have the lowest employment rate in all of Canada: 50% vs. 70% (Kunz, Milan and Schetagne, 2001).

In addition, systemic discrimination has grown since the 1980s as a result of economic conditions and new competition in the labour market between native-born Canadians[5] and immigrants. In 2000, according to the 2001 census, immigrant men earned 63.1 cents for every dollar a native-born Canadian with the same education earned; the ratio was 71.6 cents in 1980 for men arriving that year. In 2000, men who had immigrated over the previous ten years earned on average 79.8 cents for every dollar a native-born Canadian earned, holding education constant. The ratio was equal in 1980 ($1 for everyone). Until the early 1980s, immigrants took ten years to overcome the disadvantage of not having any Canadian work experience, an argument that has been used historically across Canada for underpaying them. In the case of women, the ratio was and remains more unfavourable.

> The policy of multiculturalism is an integral part of the affirmation of individual rights and it has led to the adjudication of social relations in Canada. This dynamic finds its expression in the adoption of the Charter of Rights and Freedoms in 1982.

The perception of immigration

The success of multiculturalism during the 1970-80s undeniably lies in this area. It transformed the perception and the status of immigrants from Southern and Eastern Europe, and later of non-European immigrants. It was not only a management policy designed to socially, politically and culturally integrate immigrants, it was also a policy that aimed to promote the acceptance of immigrants and their descendants as legitimate Canadians in their own right by all Canadians, public institutions, the media and large corporations. It redefined Canadian history and culture as being shaped by the establishment of successive waves of immigrant populations and affirmed a fluid and changing Canadian identity as a result of these migratory movements. This image of Canada was imposed on segments of the British population and against nationalist claims from Québec and Aboriginal Peoples. Multiculturalism aimed to weaken these segments by delegitimizing any idea of a society based on a single ethno-national community.

The government also established a program of socialization towards diversity or, to be more precise, of social control, through advertising campaigns, an affirmative action program in public sector employment, the education of civil servants, the financing of the cultural adaptation of federal or municipal public and para-public

institutions to the presence of members of ethnic minorities, and through funding ethnic associations that allowed immigrants to form coalitions and defend their rights. This undertaking was successful if one only considers the results of surveys on Canadian identity and the acceptance of multiculturalism or the absence of inter-ethnic violence. To appreciate the progress made since 1971, one only has to remember that Canada was then a very divided society, built on an ethnic hierarchy that placed the British in decision-making and prestigious positions, where institutional racism prevailed for nearly a century against West Indians, Asians, Syrians, Jews and Aboriginal Peoples, and where French Canadians occupied the lower end of the social hierarchy. Conditions in Canada were favourable to the establishment of a multiculturalism policy because of the following factors: the absence of a national secular ideology or of socialization to the idea of nation, except in Québec where the fewest immigrants settled; the decline of the British empire and the ideology of British superiority; the absence of a colonial history in the Third World; a policy of neutrality on the international stage since 1956, thanks to the American military umbrella; economic growth in the 1960-70 period; an increasing proportion of non-English and non-Scottish immigrants in the population; and the support of established ethnic groups such as the Ukrainians, Germans and Hungarians.

The founding of the Canadian state in 1867 did not give rise to any discourse on the creation of a political community based on the sovereignty of the people. It was a semi-colonial state, subject to London, that did not grant citizenship, could only pass domestic laws and whose laws, federal or provincial, were subject to Royal Assent. Canada used an ethno-cultural logic in its representation of itself: it was said to be the result of a negotiation between two nations, English Canadians and French Canadians scattered throughout the land. In addition, the specific characteristics of the French-speaking Roman Catholic population were recognized. Aboriginal Peoples, slaves and freed-slaves fleeing the United States, as well as the many immigrants that started arriving in the 1870s, were all excluded from this founding myth. Later in the 1940s, just as Canada began to establish a welfare state, the Canadian state acquired a certain independence from Great Britain and Canadian citizenship was created (in 1946, for the descendants of white settlers and immigrants only). Then, throughout the 1950-60 period, the Canadian state affirmed itself in the name of a universalistic character of citizenship and of respect for individual rights, namely social[6], but not in the name of the history or culture of the first white groups of settlers.

Despite this well established multiculturalist ideology in Canada, xenophobia exists, namely for current immigrants from Muslim and Asian countries; but at this point, it does not impede social integration as much as it does in France. According to the Ethnic Diversity Survey in 2002[7], 15% of "visible minorities" said that they had rarely experienced discrimination or unfair treatment over the past five years, 17% sometimes and 3% often, notably in employment. It is those who indicated that they were "Black" who reported having experienced the most discrimination from the police.[8] In terms of religious discrimination, 9% of visible minorities who practice a non-Christian religion said they had experienced some kind of discrimination. Lastly, in terms of generations, immigrants are more often the object of discrimination than their descendants.

The socio-cultural insertion of immigrants

The official Canadian conception of immigrant adaptation implemented through multiculturalism is based on six basic premises:

- Cultural change for immigrants is a long-term process that can span two or three generations;
- Ethnic "communitarisation" is a legitimate process. Indeed, it is an essential and useful one for allophone immigrants and/or for those from cultural worlds very distinct from the host society. The State must then foster ethnic "communitarisation" as a favourable process for the social and cultural adaptation of immigrants[9];
- Identification with any society presupposes a strong personal identification, which presupposes and requires the social recognition of individual cultural identities and collective ethnic identities;
- Collective allegiances and identities can be multiple without jeopardizing allegiance to the Canadian state;
- The strict application of the principle of formal equality of rights produces inequalities;
- There is no hierarchy of national or ethnic cultures leading to an ideology of immigrant assimilation, only the primacy of the culture of individual rights. There is no cultural relativism in multiculturalism – the principle of individual rights and freedoms taking precedence over all other cultural practices.

The value of rights

The policy of multiculturalism is an integral part of the affirmation of individual rights and it has led to the adjudication of social relations in Canada. This dynamic finds its expression in the adoption of the *Charter of Rights and Freedoms* in 1982. By emphasizing respect for fundamental freedoms and individual rights, the Charter places rights ahead of popular sovereignty of the people as the founding principle governing relations between Canadians. It contributes to the de-legitimization of the legislature as a decision-making body; and the Supreme Court, to which any resident, even a non-permanent resident, can turn, now determines the outcome of a number of conflicts in values and interests that have not been resolved by the legislature.

Canadians value this foundation of the Canadian state and they rank the Charter first or second among the identifying characteristics of the federal state, according to current surveys. The existence of a culture of individual rights is important for landed immigrants, as they are afforded all rights except the right to vote. This last limitation is in fact without consequence, since roughly 80% of Canadian immigrants acquire Canadian citizenship within the first ten years of their stay; or it is an individual right to become a Canadian citizen after a three-year stay and this right is not contingent on any ministerial or political decision.

The Charter emphasizes respect for the cultural plurality of Canadian society and here lies one of the misunderstandings in Europe about the Canadian meaning of multiculturalism. The Charter does not create any collective right for any specific immigrant culture; it is geared towards individuals. Section 27 guarantees multicultural diversity in Canada, making it an interpretative clause when it comes to deciding about individual rights. It creates an obligation to preserve and promote the multicultural heritage of Canadians, but only if it does not come into conflict with individual rights.

The only recognized collective rights apply to French-speaking Canadians, the two major religions in Canada, and Aboriginal Peoples. For example, if the obligation is made to ensure the equal public status of religions[10] or the right to an education in a non-official language, section 27 does not annul the special status of English and French or the protected status of the Roman Catholic and Protestant religions. It allows for the public funding of private ethnic schools, which provide education in a heritage language or in one of the two official languages, and it protects religious freedoms and the freedom of worship. Thus, the objection to the effect that State institutionalization of respect for cultural differences brings about the existence of separate and authoritarian communities that infringe on individual rights is unfounded in the case of Canada. Immigrant minorities do not have the institutions that ensure closed communities (schools and especially courts, which were requested by some Aboriginal groups). As an individual, any member or person in charge of an ethnic institution must respect the basic tenets of the Charter and any leader of an ethnic organization benefiting from public support must be elected. Abuses may occur, but how can we tell them apart from similar abuses occurring within other organizations of civil society?

Canada has the legal means to deal with conflicts over cultural or religious norms. In the 1985 decision mentioned previously, the Supreme Court created the obligation of reasonable accommodation in the event of indirect discrimination. The landmark decision came out of a case that involved a Seventh Day Adventist employee who wanted to keep her full-time job while respecting the Day of Rest on the Sabbath. It was against Simpsons Sears Ltd who had denied the request. The Supreme Court found that an accommodation would lessen the discrimination incurred by the employee due to her faith and added that the solution to be found had to be reasonable, i.e. that no excessive constraint should be imposed on the employer, be it an excessive financial cost, significant inconveniences, the reduction of security standards or an infringement on the rights of other employees or collective agreements. In this case, the Court found that the work schedule could be accommodated. The spirit of the decision applies to other aspects of work and to other fields such as service providers in the private or public sectors. It demonstrates a central and important fact in managing diversity: the stakeholders in civil society must learn to accommodate cultural differences and negotiate. The penalty in this case is civil and not penal, as it would be in France.

Five Possible Lessons

There are deep historical and socio-political differences between Canada and many European countries, including France, that explain why the policy of multiculturalism was established in Canada and not elsewhere, and was able to produce results. Nevertheless, lessons can be learned, particularly since the effects of multiculturalism have been easy to judge since the 1990s, when, following sharp criticism (mainly from the Western provinces) the federal government almost abandoned multiculturalism, hacking its budget in half and modifying its programs. The negative effects of this shift demonstrate the role that the policy of multiculturalism played and could still play.

- The government's discourse and the public measures against racism and xenophobia are crucial to the recognition and acceptance of immigrants and ethnic minorities. The apparatus of the state must take the lead and demonstrate its authority in this matter, paving the way through the socialization of civil servants to diversity and the recruitment of ethnic minorities. It is not by chance that an anti-immigration lobby consolidated itself during the 1990s in Western Canada at the same time that the federal state was according less importance and smaller means to the policy of multiculturalism. This situation has definitely contributed to the Islamophobobia demonstrated by one part of the media in the English-speaking provinces.[11]
- Affirmative action programs in employment in the public and para-public sectors are essential to compensate for the systemic socio-occupational marginalization of immigrants and their descendants and in their social mobility. Any discriminatory attitude on the part of agents of the State must be eliminated and indirect discrimination recognized.
- Steps towards acquiring citizenship must be facilitated, as they constitute an act of recognition that leads to an allegiance to the State (Helly, 2001).
- The Canadian experience bears witness to the importance of public schools as a setting for anti-racist and anti-xenophobic discourse and dialogue between immigrant parents and teachers who are primarily Canadian-born. Pejorative references with respect to minorities have been largely eliminated from school textbooks. Violent incidents between students, acts of discrimination on the part of teachers and the control of schools by ethnic gangs are rare occurrences. Yet, serious problems do remain: the absence of the learning of the history of countries other than Canada and Western Europe, the occurrence of anti-Muslim stereotypes in school books, and the concentration of ethnic minorities in some establishments, are but some examples.
- The efforts of multiculturalism related to ethnic community organizations, in the form of ongoing ties between civil servants and leaders, and the funding of NGOs and efforts directed at para-public agencies, the media or organizations responsible for inter-group activities were crucial during the 1970-80 period. They facilitated the adaptation and inclusion of immigrants as well as the control of leaders who were

highly or entirely dependent on public funding. In no way did these efforts break the "social link" or "social cohesion", generate ethnic isolation, or jeopardize the allegiance of ethnic minorities to the Canadian state. On the contrary, as current surveys and polls demonstrate, it consolidated their allegiance and allowed groups without financial capital or significant professional expertise, such as the Haitians in Québec, to "communitarize", offer services and fight racism. However, the reduction of funding to ethnic NGOs over the past ten years, the strong interest shown for multiethnic NGOs since 1995[12] and the budget cuts to NGOs for the settlement of immigrants by the provinces and Immigration and Citizenship Canada only helped make it more difficult to include newcomers. As proof, Muslim communities, which lack financial means and significant services for newcomers, have to deal with high unemployment and under-employment. They also have no ties with government organizations and lack knowledge of their activities. Immigration from Muslim countries multiplied during the 1990s, while assistance to ethnic NGOs was being reduced, the selection of immigrants was toughened and the competition between native-born Canadians and immigrants grew. As a result, the Muslim community is not well organized to defend itself against prejudice and negative stereotypes (Helly, 2002, 2003, 2004) and has a rather negative view of the Canadian State and Canadian society. As for religious Muslim organizations, which raise the issue of the relationship between Church and State[13], it is easy to encourage them to declare themselves cultural institutions and to fund them as such, a phenomenon that is emerging in Europe. As for those that refuse to characterize themselves as such, namely mosques, financial assistance can be granted for their social activities. On this issue, Canada is admittedly lagging behind, since ties between public institutions and Muslim communities are almost non-existent given the retreat of the Multiculturalism Program from ethnic community life over the past ten years.

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Notes

1 Examples include work and family-life reconciliation policies that help women not in the labour force gain easier access to the labour market, a reduction of payroll taxes on the hiring of low-skilled labour to absorb workers not active in the labour force and a lengthening of the working age beyond the age of 60.

2 The Québec government adopted a similar program in 1991, without results.

3 We do not have any data allowing us to state if there is systemic discrimination against any religious group.

4 For instance, when a private company signs a contract in excess of $250,000 with a public agency.

5 The level of education of native-born Canadians has improved over the last twenty years. Nevertheless, 40% of immigrants in the 1990s between the ages of 25 and 54 held a university diploma compared to 23% of native-born Canadians in the same age range.

6 Unemployment insurance was established in 1940, diplomatic autonomy was recognized in 1946, the old-age pension system was introduced in 1951 and 1964; and citizenship was granted to Black and Asian minorities in 1948, to Inuit in 1950 and Registered Indians in 1960.

7 The sample includes 42,500 individuals of all origins and an overrepresentation of members of ethnic minorities.

8 The statistics for "Blacks" are 17% rarely, 23% sometimes and 9% often. For the Chinese, they are: 15% rarely, 16% sometimes and 2% often. The ratios are close in the three immigration metropolitan areas where immigrants are highly concentrated in Canada. Note that these statistics about discrimination include "unfair" treatment as well.

9 More openly political "communitarisation" is lawful in the name of freedom of association and opinion.

10 This explains decisions related to wearing the turban by members of the Sikh faith in the RCMP, wearing the scarf by members of the Muslim faith, the repeal of the mandatory closing of stores on Sundays in Ontario, said to be "contrary to the freedom of conscience and religion," and the elimination of religious practices in public schools.

11 This Islamophobia that the Montreal paper *The Gazette* steers clear of, can be explained in part by the influence of the security discourse and practices of the Bush Administration.

12 This change in funding criteria does not seem to be systematically applied in the case of established ethnic NGOs (SSHRC project, Helly and McAndrew, 2000)

13 The Canadian State, which is not a "laïque" state, represents one of the many examples of different relationships between Church and State. There are only four "laïque" states: the United States, France, Mexico and Turkey. In these states, "laïque" has a totally different meaning (Helly, 2003).