

---

## **Backgrounder**

### **Citizenship and the Recognition of Cultural Diversity: The Canadian Experience**

**Jane Jenson and Martin Papillon**

*A Structured Dialogue on Diversity: The Values and Political Structures That Support It*

As a society built around existing Aboriginal peoples, based on two founding European cultures, and expanded through successive waves of immigration, Canada has, for obvious reasons, been at the forefront of debates about the recognition of cultural diversity. Not only are some of the leading scholars in the field Canadians, but Canada is also to a certain extent a laboratory in terms of policy development in response to such challenges.

Canada is a country characterised by a "diversity of diversities." It recognises the contribution of its two founding cultures, while seeking to design a new place for Aboriginal peoples living within Canada. It continues to build on its commitment to multiculturalism, and recognises a wide range of social and other axes of diversity. This complexity has led to an accepted pattern of asymmetry, which adds to the complexity. For example, some cultures have constitutional recognition and protections, while other groups enjoy legislative protection. Managing these asymmetries is the challenge – and joy – of ordinary Canadians and their governments.

The Department of Canadian Heritage, as part of its mandate, seeks to develop strategies for ensuring that diversity continues to be a value that enriches Canada. In this context, the Department has asked CPRN to organize a structured dialogue session exploring models of government and citizenship, and assessing their contribution to this end. The goal of this structured dialogue is to provide suggestions for constructing a subsequent targeted research paper that could contribute to the policy development process at Canadian Heritage.

In order to begin to reflect on other models, and to aid the experts invited from outside Canada, this *Backgrounder* identifies two areas of current controversy. We seek reactions from participants, with particular attention to the ways that similar issues have arisen and are being addressed in other jurisdictions.

**First is the area of multiculturalism.** Since 1971, the Government of Canada has officially promoted a policy of multiculturalism, stressing the positive value of cultural diversity in a liberal society, and therefore describing Canada in terms of a "diversity model."

This is a position different from others. For example, it marks a departure from classic liberal thought, represented by the "French model." As well, in contrast to certain communitarian ideas, Canadian multiculturalism policies do not envisage a society structured along lines of culture. To the extent that cultural rights exist, they are intended to enhance individuals' freedom to choose to live according to his or her own cultural heritage. The policy of multiculturalism also promotes tolerance, by promoting anti-racist activities as well as programs enhancing greater access to public institutions for individual members of minority groups.

This way of recognising the cultural dimension of participation and access to citizenship rights is not without its critics, however. Some are concerned that such values will deepen the fault lines of diversity and undermine social cohesion. Others see such policies as little more than "folklorisation." As well, other governments in Canada do not all subscribe to the same vision of how to recognise diversity. Therefore, the debate as to the best way of fostering cohesion in a culturally diverse society remains lively – and we seek to dialogue on it.

The following questions might serve to launch reflection and discussion:

- **Diversity and cohesion:** Formal recognition of cultural differences can facilitate integration and full participation into society, but may have consequences for cohesion.
  - To what extent and in what circumstances does the recognition of cultural differences and multiple identities lead to fragmentation?
  - Is the recognition of multiple identities compatible with the notion of a shared sense of citizenship?
  - Are shared "core values" necessary to ensure cohesion in a multicultural society? Are civic values a sufficient "glue" to ensure cohesion?
  - How can the notion of diversity be integrated into policy development and governance practices?
- **Participation and civic life:** Is there evidence of a link between "strong civic organisations" and minorities' inclusion and participation in society?
  - What is the main role of civic organisations for minorities – to maintain cultural links, act as "bridging organisations" between the population and governments, be mechanisms for participation in civic life, or other?
  - Are current levels of support adequate or are we now weakening those groups that give voice to their communities?
  - To what extent should institutional practices and institutions such as Parliament be adapted to multiculturalism?

**Recognition of national minorities** in the citizenship regime is a second way in which Canadian policy has faced the challenge of diversity. These actions open space for some autonomy and some asymmetry for peoples living within Canada.

Traditionally, the issue of national minorities has involved French-Canadians and Quebecers. This has led to more than a century of political debate about the place of French and English-speaking Canadians in the country, their rights, responsibilities and attachment to the country. This structured dialogue will not revisit those issues in their entirety but will address the matter from the angle of asymmetry, as mentioned above.

In recent years, the question of national minorities has included Aboriginal peoples. They have sought recognition of (and were in fact granted in the 1982 *Constitution Act* and in subsequent interpretations of Section 25 by the Supreme Court) certain privileges and rights not available to other Canadian citizens, on the basis of their standing as peoples. These rights have been translated into self-government arrangements that allow Aboriginal nations to exercise a limited sovereignty over a certain territory, with the objective being to create institutional arrangements that will ensure the cultural and social development of Aboriginal communities.

As revealed by the controversy surrounding the agreement negotiated with the Nisga'a of British Columbia, as well the constitutional controversies of the 1980s regarding recognition of Quebec as a "distinct society," formal recognition of asymmetrical citizenship can bring its share of conflict.

For example, only the members of the Nisga'a nation will benefit from the rights associated with what is explicitly called "Nisga'a citizenship," including the right to vote in the assembly and elect representatives. Critics have denounced the arrangement as "racist" because it defines the borders of belonging according to group membership. It is, indeed, a departure from the liberal principle of universal – and supposedly neutral – equality. However, as well as a route to recognition, these arrangements have been developed to address the lingering and festering consequences of the cultural exclusion of Aboriginal peoples living in Canada. The notion is that an institutional arrangement based on differentiation is necessary in order to *achieve* equality.

One can expect this debate on asymmetrical citizenship to grow in importance in the near future, given the number of negotiations of self-government arrangements that are currently in process between federal and provincial governments and Aboriginal nations, and given the fact that the relationship between Quebec and the rest of Canada remains a political controversy.

The following questions might serve to launch reflection and discussion:

- What are the different forms and levels of institutional recognition that are responsive to national minorities' needs, and can we draw any conclusions from experiences elsewhere?
  - What is the relevance and meaning of symbolic recognition in such processes?
  - What can we learn from self-government experiences elsewhere? How did those improve the life of communities and their relationship with governments?
- How can we reconcile our established pattern of asymmetrical diversities with the aspirations of all individuals and groups to be treated "equally"?
- How do such arrangements affect governance practices and the exercise of citizenship? Are they compatible with the modern notion of citizenship?
- Can Canada learn from other federations or quasi-federations where member-states are divided according to cultural (rather than strictly territorial) lines? How do such arrangements work?

(May 12, 2000)