

## **Human Rights Types: Separatist To Engaged Religious Variations**

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Evelyn Kallen, in her *Ethnicity and Human Rights* (2003) presents a typology of human rights, which includes individual, collective, political, religious, and aboriginal rights, which will be examined, to provide a macro-sense of many of the elements and principles which need to be studied and considered.

These issues have been dealt with in the three major Declarations of Human rights, first by the Americans, followed by the United Nations, and Canadians. These declarations will be briefly examined as well, to enhance our insights into these individual, collective, political, economic, religious and aboriginal charters or rights and freedoms, to see how nations of the world have set their goals for their interchange of relations.

We also plan to compare four different cultural groups in Canada (Aboriginals, French, British, Others) to illustrate how the Kallen typology applies differently to the four groups, creating a mosaic of varied factors, situations and rights, which apply to these multicultural and multi-religious situations.

### **I. TYPOLOGY OF HUMAN RIGHTS**

In Table 1, Evelyn Kallen (1995:10; 2003) summarizes human rights moving from micro individual rights to more macro group rights, and then spells out claims of cultural, national and aboriginal rights. She helps sort some of the important categories: 1) *Individual rights* to life, freedom, opportunity, and dignity; 2) *Group or category rights* to life, freedom, opportunity, and dignity; 3) *Collective cultural* rights to ethnocultural distinctiveness, design for living, language, religion, institutions, and customs; 4) *Collective national rights* to self-determination, ancestral territory, nation; and 5) *Collective Aboriginal rights* to land, occupancy, and use. All individuals are covered by the first, religious groups by the second, ethnic groups by the third, Québécois by the fourth and aboriginals by the fifth.

Individual rights can be violated by neglect, diminution, oppression, and homicide. Group rights can be violated by inequality, defamation, oppression and genocide, shown by the Jewish Holocaust, and the atrocities in Rwanda, Bosnia-Herzegovina, and now Syria. Deculturation, discrimination, and cultural genocide can be inflicted by those who are dominant, illustrated by European treatment of Canada's aboriginals (Kallen, 1995:10). Collective rights could be violated, if Quebecers decided to separate and the rest of Canada denied them nationhood status. Aboriginal rights can be violated when land settlements have not been made, as they have not in half of Canada. We shall examine some of these collective violations of human rights.

Beginning with Individual rights, we note that our capitalist economic system, where all need to be involved to eat, is highly motivated by individual enterprise, considered a "sacred" right of every person to compete, training for a good education to compete for jobs. Competition is important, where laws guide individuals, so that conflicts can be held in check, as we strive to

achieve our goals. The profit motive is central, where expenses are cut, advantages are enhanced to make money, leaving the largest margin as accumulations of profits. Capital gains are important to enhance income over experiences, as we compete with others to make profits. Kallen calls this a right “to life,” which includes the freedom to self-determination, where all have as much equal opportunity as possible, and the profits show that we worked hard, followed the rules and laws, and were among the best who succeeded. It should not be surprising that in this process some over-step the order so that neglect including diminution and oppression of others, and occasional homicides occur. It is a tough system where power is abused by many (Kymlicka and Norman, 2000; Driedger and Halli, 2000).

In the process of economic right to life, we of course become part of many groups where we seek more right to life, which illustrates Kallen’s second category of fundamental right to life. Most humans are born into a family, the first primary group which we often refer to as “home.” Most of the time marriage takes place between a man and a woman who legally have kids where they are cared for, educated and raised. Americans right now are debating whether same sex marriages can also be legal. In the process of socialization and work, humans become part of many groups, where humans should have equal opportunity, a right to a full life, freedom for individuals, to belong and form new groups which are given dignity to exist and thrive.

As many groups are formed and people live together, they together develop similar habits, language, values, beliefs to form distinctive ethnic, religious and national groups, which in a multicultural and multi-religious environment must be ordered to prevent excessive conflict, and opportunities to live and work together. So Kallen also recognizes these political problems in a fourth category, where collective determination as a distinct nation within their own ancestral/territorial bounds can be ordered. Many such collective groups might want the freedom to have their own powers to form a new country, but there are needs to also avoid excessive proliferation to the point of chaos. How can these drives of freedom, identities, and desires for familiar living be balanced?

Fifth, and finally, Kallen includes “Collective Aboriginal rights” in her typology, which perhaps should have been dealt with first, since they were the first to possess this land called Canada, by the Europeans who invaded them. Many Europeans did recognize aboriginal rights to

TABLE 1. A Typology of Human rights Principles, Violations, and Claims

<i>Principles</i>	<i>Violations</i>	<i>Claims</i>
Fundamental Human Rights		
<i>Individual</i>		Individual claims
Right to life	Homicide	
Freedom (self-determination)	Oppression	
Equal opportunity	Neglect	
Dignity of person	Diminution	
<i>Group or Category</i>		
Right to life	Genocide	
Freedom (group autonomy)	Group oppression	
Equal opportunity	Group inequity	
Group dignity	Group defamation	
<i>Collective Cultural Rights</i>		Collective claims
Distinctive ethnocultural	Cultural discrimination	
Design for living (language, religion, institutions, customs)	(deculturation/cultural genocide)	
<i>Collective National Rights</i>		Nationhood claims
Self-determination as a distinctive nation within own ancestral/territorial bounds	National discrimination (denial of nationhood status)	
<i>Collective Aboriginal Rights</i>		Aboriginal rights claims
Right and title to aboriginal lands Based on collective use and occupancy	Land entitlement discrimination	
By aboriginal ethnic group 'from Time immemorial'		

SOURCE: Evelyn Kallen, *Ethnicity and Human Rights in Canada*, 3<sup>rd</sup> ed. (Toronto: Oxford University Press, 1995, 2003)

title of lands based on collective use and occupancy, so made treaties with the “first nations” to make joint use of the land. However, there are many examples of land entitlement discrimination, and unsettled aboriginal claims of rights of lands for which no treaties were made. Claims and settlements of the first peoples and their invaders, illustrate how complex the relations between each and all of these multicultural, as well as religious ideologies are. Let us examine a few rules or bills of rights which have been passed in the USA, United Nations and Canada.

## **II. BILLS OF HUMAN RIGHTS**

The invasion and settlement of the Americas by Europeans since the early 1500s was fraught with numerous wars among the British, French, Spanish, and Portuguese. These nations wished to extend their power as colonizers of weaker peoples and to entrench their own political dominance and economic advantage.

Karl Marx’s main concern was with these macro political-economy power issues and he hoped for a ‘classless society’ in which all people could survive under more equal relations. Unfortunately, he spent little time spelling out the fine points of how such relations on a micro level might work. Max Weber focused more on multidimensional factors of human relations that operated on the micro level, which he had experienced firsthand in the Austro-Hungarian Empire. His concern for individuals and their needs, allowed him to consider economic and political factors, and also the religious and value systems that often motivate humans in a variety of directions (Li, 1999; Manivirabona and Crepeau, 2012, Mates and Cheung, 2012; Ryan, 2010.

### **The American Bills of Rights**

The Spaniards, Portuguese, British, and French settled the Americas. The Spanish and Portuguese explorers who settled Central and South America came from homelands where Roman Catholicism was the state religion. They propagated their religion in Latin America, and all these countries are now also dominantly Roman Catholic. The state religion was considered an integral part of power politics, when the aboriginals were conquered and subdued (Driedger, 2003).

North American settlement, however, did not follow the pattern established in Latin America. The 13 American colonies on the East Coast began in a more heterogeneous manner. Jamestown, the first permanent English settlement in North America, was established in 1607 in what is now Virginia. One year later in 1608, Champlain established the first French settlement on the St. Lawrence River at Quebec. The Pilgrim Fathers, a group of separatists from the Church of England who founded Plymouth Colony near Boston, came to America in 1620 on the *Mayflower*. In 1624, the Dutch West Indies Company established the colony of New Amsterdam, which in 1664 was surrendered to the English and renamed New York. In 1681 William Penn, an English Quaker who had earlier been jailed for his writings on religious freedom and his defense of the doctrine of toleration, received a grant of territory later to be named Pennsylvania after

him. These varied settlements were founded because refugees and settlers left their European states for more freedom and tolerance, particularly of religious beliefs.

When the American constitution was drafted and signed in 1787, shortly after independence from British rule, it guaranteed freedom of religion, speech, and assembly. Many of the new settlers were dissenters who could not freely practice their beliefs in the normal context of European state religions.

Congress's first concern was that there should not be an official state religion, and that all people should have the right to practice their religions freely. Freedom of speech and of the press were important for maintaining and propagating Americans' beliefs, and the ability to meet and assemble as the people saw fit was an important part of these freedoms. The constitution was ratified by the states only after the promise of amendments that related directly to human rights. The first 10 amendments, known as the Bill of Rights, were passed in 1791.

After the bloody Civil War between the North and the South, 75 years later, the Thirteenth, Fourteenth, and Fifteenth Amendments abolished slavery, conferred citizenship on former slaves, and established the principle that the state cannot deprive any person of life, liberty, and/or property, without due process of law. Although religious rights were entrenched two hundred years ago, it was almost a century later, after a civil war, that equality of race was entrenched. It was not until 1920 that women received the right to vote.

The United States is one of the first modern states to entrench human rights and freedoms by restricting state powers. It has been a struggle, but in the process America has been held up by many as the land of liberty and freedom, although the journey to freedom has been rocky.

The Western World has been profoundly influenced by Judeo-Christian religious ideology. Although secularization has ensured that this ideology is no longer as dominant as it was in Europe during the Middle Ages. A large majority of North Americans claim to be Christian. Christianity is an ideology that grew out of the Jewish religion, which is based on the law and the prophets, which spelled out basic rules.

The Christian religion grew out of this Jewish tradition, confirmed the law and the prophets, and extended the ideology to embrace and promote 'love' (see, for instance, Matthew 5, the Sermon on the Mount). Again the worth of every human being was stressed and was extended to include even the enemy. The 'brotherhood of man' applied to all people, nations, and races. Everyone was considered worthy of love. It was a message not only for the Jews, but for Gentiles as well.

While North American religious and political ideologies generally aim in the same direction, our economic ideologies often pull in opposite directions. Laissez-faire capitalism had as its basic tenets freedom of individual enterprise, ownership of private property, rights to inheritance, and the need for competition under minimal government interference.

Capitalism in Canada has been greatly modified to accommodate more social needs. This seems to have come about because of socialist philosophies that advocated greater emphasis on state control of some of the basic economic industries. These philosophies hold that the basic and common needs of education, welfare, health, transportation, and communication should be

operated or controlled by the government for the benefit of all. Thus we have a modified sociocapitalist economy that tries to hold together individual freedoms and collective responsibility.

### **The United Nations Universal Declaration of Human Rights**

The Universal Declaration of Human Rights was unanimously adopted in 1948 by the General Assembly of the United Nations (Kallen, 1995:286-91). The Declaration's main objective is to promote and encourage respect for human rights and freedoms. Thirty articles proclaim the personal, civil, political, economic, social, and cultural rights of humans.

For minorities such as Jews, Hutterites, Mennonites, Doukhobors, Hindus, Muslims, and others, ethnicity and religion are closely intertwined; their religion must be safeguarded to protect their ethnicity. However, this freedom is also important for larger groups: the French, Italians, and Poles are usually Roman Catholics; the British are largely Anglican, United Church, or Presbyterian.

Kallen (1995:9-12) suggests that if multiculturalism in Canada is to mean anything, rights will have to reach beyond individual levels, to subnational ethnic collectivities. For example, the Québécois, the Dene Nation, and the Inuit of Nunavut movements will be dealt with as peoples who deserve special rights within the nation-state.

### **The Canadian Charter of Rights and Freedoms**

The United States was concerned with protecting individual rights and freedoms two hundred years ago, as the British North America (BNA) Act of 1867, created in Britain, which made no specific reference to human rights. Aside from provisions to protect the English and French languages, and the rights to Protestants and Catholics to have their own denominational schools, the BNA Act did not address human rights. This seems to have been a reflection of the dominance of two colonial powers that shaped the Canadian nation. Aside from the aboriginals in Canada, the two charter European founding peoples represented more than 90 per cent of the population in 1867. Questions of human rights and discrimination began to be considered seriously only after the Second World War, most likely due to the atrocities of the Nazis and the concerns of the increasingly larger immigrant population who considered themselves other than charter Canadians.

While the legal rights and special privileges of the charter groups became a part of the social structure early in Canada's history, the structure created by treaties with Canadian Indians often placed aboriginals in underprivileged positions. About one-half of Canada's aboriginals were forced onto reserves to free the land for white European settlers and to provide a more convenient administrative arrangement of control.

In the past decade a point system of desired traits has resulted in an increase of many more immigrants from the third World, including Asians, South Americans, Africans, and other visible minorities, often of other religions and non-European cultures. Many of these new immigrants are also well educated, and thus increasingly demand equal rights and just treatment.

How can we integrate their contribution into our social system so that their voices may be heard as equals?

Canada passed its Charter of Rights and Freedoms in 1982 when it became a part of the new Canadian Constitution that replaced the BNA Act (Kallen, 1995:292-8). Article 2 lists four fundamental freedoms: (a) freedom of conscience and religion; (b) freedom of thought, belief, opinion, ... the press and other media of communication; (c) freedom of peaceable assembly; and (d) freedom of association (Driedger, 1996; Zimmerman, 2007).

Article 15 specifically spells out individual equality of rights:

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

This is the first of the three documents to include ethnic origin. The traits protected from discrimination, including ethnicity, are again mentioned in subsection two. Thus, the multicultural nature of Canada is recognized beyond racial and religious variations. Let us examine four groups to see how Kallen's typology and the three bills of rights apply.

### **III. EXAMPLES OF RIGHTS VIOLATIONS**

Bills of Rights do spell out the rights of the majority charter groups, and recognize some aboriginal and multicultural rights. We highlight examples of racial atrocities by showing how blacks were enslaved and the Japanese were interned in North America. Here we wish to add the expulsion of the Acadians, the demise of the Metis nation, the settling of aboriginal land claims, and the Jewish Holocaust to further portray the need for minority rights. We are not sufficiently aware of our own sordid history, and what we have done to many minorities in the past.

#### **Expulsion of the Acadians**

Thomas Berger (1981) in his *Fragile Freedoms* describes the descent of many minority groups, and we are indebted to his concise portrayal of the expulsion of the Acadians in 1755 from the earliest European settlements in Canada.

The national states of Britain and France were traditionally and ethnically well defined by the time Columbus discovered America in 1492. They had their own internal ethnic struggles earlier, and by 1500 diversity was anathema to the rulers of these nation-states. They were more preoccupied with consolidating their sovereignty in the newly discovered lands (where power relations led to much conflict and many wars) than worrying about rights for minorities in the path of their conquests. Ever since, the central issue of Canadian history has been the working out of the relations between these two societies (Berger, 1981:xiv). The final conquest of New France by the British led to a series of attempts to assimilate the people of Quebec. The struggle of French Canadians epitomizes the struggle of minorities everywhere. Confederation in 1867 was the accommodation of these two communities.

The Sieur de Monts' French expedition first wintered at the mouth of the St. Croix River in 1604-5. In 1605 they moved to Port Royal on the Annapolis River on the south shore of the Bay of Fundy where they established the Order of Good Cheer. Later known as Acadia, this was the first permanent European settlement in North America north of Florida. In 1608 Champlain started the new settlement in Quebec and the centre of French activities shifted to the St. Lawrence.

Although Champlain abandoned the new Acadia, others continued to build the French settlement. Argall, governor of Virginia, looted and burned their buildings in 1613. In 1671 King James I of England granted the whole of Acadia to the Earl of Stirling, making it part of New Scotland, or Nova Scotia (Berger, 1981:4-5). In 1627 the Earl seized the small French community at Port Royal; by a later British and French treaty, Acadia reverted to the French and several hundred new French settlers came to the Port Royal area. The boundaries of Acadia were never well defined (Dinwoodie, 1986:15-20), but it became a centre of English-French conflicts.

By 1701, when the Acadians had lived around the Bay of Fundy for almost a century, they numbered 1,134; their relations with the aboriginals were harmonious, and they felt more attached to North America than to the whims of the European powers. 'In 1713, by the Treaty of Utrecht, the colony passed permanently into the hands of the British.... There were now 2,500 Acadians....' (Berger, 1981:8). While the treaty provided that they could emigrate to French soil, they were unwilling to give up their fertile farms and abandon what had been their home for over a century. Thus, the British were faced with attempting to rule a people whose language, religion, and cultural heritage were those of their major European enemy.

The Acadians were peaceful until the British insisted that they take an oath of allegiance to the King of England. The Acadians – with their roots in the French tradition and remembering that their territory had changed hands many times – could not pledge allegiance to the British crown. Increasingly, the British were nervous about having the Acadians on their territory, and felt that they needed to secure Halifax and Nova Scotia from a potential uprising of these French-speaking Acadians.

The governor of the Acadians ordered to take an oath of allegiance to the king; when they refused, they were ordered to be dispersed among the British colonies on the continent. They forfeited their lands, tenements, cattle, and other livestock to the Crown after the men had been locked up under guard in the church and their families herded into ships of transport (Berger, 1981:14, 15). Many families were dispersed, never to be reunited; the British burned their barns and houses and turned their cattle loose. Altogether, the British forcibly removed and transported around 6,000 Acadians.

Despite much persecution, deportation, expulsion, and sorrow, the French Acadians have survived in New Brunswick and Nova Scotia, as a people who are neither Québécois, nor French, but Acadian. Much too late, some of their minority group rights have been entrenched.



### **The Metis Nation of the Prairies**

In 1670, the Hudson's Bay Company began trading in the great Canadian northwest, trading furs at their posts located on the shores of Hudson Bay. As La Verendrye, born in Trois-Rivières, explored the prairie interior in the 1740s for the French fur traders operating out of Quebec, the British also increasingly began to follow the rivers westward in search of furs. Many of the French traders, or voyageurs, of the Northwest Trading Company wintered among the Indians and returned with their furs to Montreal the next summer. These traders often took Indian wives, so that by 1775 the Metis, emerged as a new people, bridging the white and Indian populations (Flanagan, 1991).

The buffalo hunt lay at the heart of the new Metis culture as pemmican, the staple food of the canoe brigades, which emerged as a major commodity. The buffalo hunt was a large organization which made the Metis the strongest military force in the West. For 50 years the Metis prospered in their settlement at the forks of the Assiniboine and Red rivers. The Metis spoke French, were Roman Catholic, and were inclined to follow the life of their aboriginal mother's people, who considered the Prairies their homeland. A new people had been born because of aboriginal European contacts.

While more and more settlers came, the Metis, who were a majority, wondered whether the influx of white settlers would swamp their aboriginal and Metis way of life. They were particularly concerned about the fur trade. This was the Red River settlement into which Louis Riel came in 1868. His French-Canadian mother was a daughter of the first white woman in western Canada and his father was a French Metis leader. Riel was born in the settlement and was sent to Montreal to train for the Catholic priesthood; when he returned, he became one of the leaders of the settlement. When in 1869 the Canadian government sent a team of surveyors to stake the land in preparation for the federal takeover from the Hudson's Bay Company (which would severely interrupt the Metis riverfront strip system), the Metis under the leadership of Riel stopped them (Stanley, 1969). They also stopped the new Lieutenant-governor McDougall, sent from the East, from taking his seat at Fort Garry.

These events resulted in a Metis provisional government headed by Riel, which outlined a series of points it wished to negotiate with the government before the area would become a new province. The settlement requests included the right to elect their own legislature, magistrates, and sheriffs; a free homestead for each family; a rail connection with the East; the right to use English and French languages in the courts and legislature; and the right to be represented in the Canadian government (Stanley, 1969). Canada agreed to most of their requests and Manitoba became the fifth province of Canada in 1870, but not before an army from the East was sent to deal with Riel and his provisional government (Driedger, 1972:294). Riel fled to the United States uncertain about the army's intentions. As a refugee he was thrice elected to the Ottawa Parliament by his constituents, but he was never able to take his seat because of Scottish resentment against him in Ontario. Although he should have become the first Manitoba premier, he was exiled and never given amnesty. Power politics and nation-state dominance again missed

a chance for Canada's first Metis premier elected by the people from the Red River settlement. Once more, multiculturalism was not given a chance.

Riel was hanged for treason in that same year, and his grave is located in St. Boniface, now Winnipeg. Two chances for the recognition of a Metis nation had been crushed, because Easterners saw these French Metis uprisings as a threat, rather than as an opportunity for aboriginal and Metis representation of the majority of the northwest region. Had their leader Riel become the father of Manitoba and its first premier, as many now think he should have, most Metis would likely have stayed and settled in the Fort Garry area and Manitoba would now be a much different multicultural province. Since then, both Manitoba and Saskatchewan have erected monuments on their provincial legislative grounds honoring Riel, but a century too late.

### **Settling Aboriginal Land Claims**

Of the 532,060 aboriginal people in 1991, 3.8 per cent were Inuit, 22.5 per cent were Metis, and 21.6 per cent were Non-Status Indians. Aboriginals are now a majority (51.2 per cent) in the Northwest Territories and Nunavut, and the largest number are located on the Prairies with well over half of their population in the four most westerly provinces in 1991. Treaties have not been made with almost half of these Aboriginal people, and there are problems with the treaties made with some of the Status Indians. Thus, numerous Aboriginal land claims have not yet been settled. Treaties have not been made (except for the James Bay area) in the five most easterly provinces (Quebec and the Maritimes), in most of British Columbia, and the Yukon (Frideres, 1998; Ponting, 1986). The earliest treaties, known as the Robinson Huron and Robinson Superior treaties, were made in northern Ontario in 1850. The Williams treaties were made a little farther to the south of Ontario in 1923. Minor treaties, known as the Douglas treaties (1850-4), were also made in parts of Vancouver Island (Frideres, 1998).

The 11 major treaties, known as Treaties 1-11 were made in the West, beginning in 1871 at the forks of the Red and Assiniboine rivers, the heart of the Metis region (Dickason, 1992:273-89). Treaty 1 was signed in Fort Garry, the stone fort north of Winnipeg, one year after Manitoba become a province. The Metis Nation had been dislodged from their power base, European settlers were about to enter the territory en masse, and the Indians and Metis had to be dealt with to make room for the white Europeans. As the white settlers moved westward from the forks, more treaties were signed as needed. They were signed in 1874 in southern Saskatchewan, in 1876 and 1877 in southern Alberta, and then the last treaty was signed in 1921 in the Mackenzie Valley region reaching into the Northwest Territories (Frideres, 1998). These later treaties were signed as mining interests moved up the Mackenzie River.

The paternalism conveyed in the wording of these treaties shows the colonialist stance of a majority power dealing with 'poor uncivilized aboriginals who need to be cared for'.

Since Treaty 11 was signed in 1921, numerous attempts have been made to deal with aboriginal land claims; however, there have been many difficulties (Frideres, 1998:66-121). Still more difficult will be the settlement of treaty claims in Quebec, and the southern parts of the four

maritime provinces, where white settlement has a long history, but where treaties have still not been made. Many of these areas are urban, with dense populations.

Today, we still have much difficulty in dealing with aboriginal land claims. So far these claims have been dealt with only haphazardly. The fact that few treaties have been made on either coast, can again be attributed to the early power politics of nation-state colonialists who had little concern for minority rights and freedoms. To our credit, we have recognized aboriginal land rights in the western interior by signing Treaties 1-11, but these treaties are fraught with many difficulties, ambiguities, and problems. Much still remains to be done, and we are not moving very quickly in resolving these injustices, although the recent Nunavut settlement in what was the eastern Northwest Territories in 1993 is an important recent agreement.

### **Religious Rights**

Salman Rushdie's *The Satanic Verses* raises the extent to which rights and freedoms are respected in the world today. The extermination of six million Jews by the Nazis during the Second World War was an event that showed that the freedoms we have are fragile, and that they continue to be attacked by those who consider themselves 'civilized'. The Jewish Holocaust happened in the land that spawned Einstein, Beethoven, Mozart, Freud, and Marx. How could modern people who claim to hold to ideologies of Christianity and democracy which proclaim love and equality, allow such atrocities to happen? The roots of such holocausts continue to linger, as illustrated by several Canadian examples.

Levitt and Shaffir (1986) have documented the Christie Pits riot that occurred in Toronto in 1933, between Jews and Gentiles. On the evening of August 16, 1933, a riot occurred after a semifinal series of the Toronto Amateur Softball Association championship between Harbord (with mostly Jewish members) and St. Peter's (a Gentile team). A number of factors led up to the riot. Toronto's eastern beaches and parks were a favourite picnic area for thousands of Jewish immigrants and their families, whose customs, cuisine, and language were different from those of the residents near these beaches, who were concerned about the increasing presence of Jews.

Life was not easy for Toronto's Jews in 1933: they were barred from certain jobs, they were not welcome in some recreation and social circles, and on occasion they were beaten up (Levitt and Shaffir, 1986:3-4). Discrimination seemed routine, and swastika signs (which symbolized suffering, torture, and death to these Jews) were increasingly found in the parks. When a Swastika Club was formed and displayed the swastika, Jewish youths countered by organizing parades on the beaches' boardwalks. Mayor Stewart of Toronto tried to crack down on these Nazi groups and the display of their symbols, but without avail.

David Elliott (1985:78-79) has tried to document some of the intellectual roots of the Keegstra affair, and concludes that some anti-Semitism has its roots in the early Social Credit movement in Canada. Criminal charges were laid against James Keegstra, a high school social studies teacher (and former mayor) in Eckville, Alberta, because he taught that the holocaust was a myth and that the Jews were conspiring to rule the world (Elliott, 1985:78). Keegstra was also a member of the national Social Credit Party Executive, which was unwilling to censure him.

The Keegstra affair became a national issue. Elliott claims Major C.H. Douglas, the founder of the Social Credit Party, believed that Canada was menaced by a Jewish conspiracy to acquire key positions in the economic and political fields. ‘The full scope of Douglas’s anti-Semitic paranoia was found in his *Brief for the Prosecution* published in 1945’ (Elliott, 1985:82).

Yaacov Glickman and Alan Bordikoff (1982) examined 72 textbooks authorized for use in Canada’s secondary schools, and found inadequate treatment of the Jewish Holocaust. They did a content analysis of the texts, using seven criteria including inclusion, validity, balance, comprehensiveness, concreteness, unity, and realism in their evaluation of published presentations of the holocaust. They found that 29 per cent of the textbooks excluded the subject matter entirely, and 42 per cent were judged to have treated it inadequately.

In the Jewish Holocaust- the destruction of one-third of a people – occurred in Europe more than 50 years ago, we still cringe at the extent to which modern Nazis were willing to go to follow their Aryan ideology. It is clear that the Holocaust has affected Canada directly, because the Christie Pits riots and Keegstra affair demonstrate that anti-Semitic tendencies continue in our midst. Elderly Jews who experienced and escaped the European Holocaust will always fear the danger of similar threats in the future (Driedger and Chappell, 1987). The rights and freedoms of minorities are indeed fragile, to which the Jews can attest from several millennia’s experience.

Will Kymlicka, has published a half-dozen books that are deeply concerned with the diversity that we are headed into. These publications focus on liberalism, community, and culture (1989), multicultural citizenship (1995a), the rights of minority cultures (1995b), finding our way in rethinking ethnocultural relations (1998), and citizenship in diverse societies (2000). These political issues will become more complex as we increasingly move from commitments to ideologies and science, to postmodern values of freedom, individualism, skepticism about linear thinking, with more openness to diversity and pluralism.

## **SUMMARY**

We began by saying that nation-states in the past tried to establish unitary ethnic sovereign states that, nevertheless, always included numerous minorities that were often ignored or forced into assimilation. The polyethnic or pluralist view is also concerned with the rights and freedoms of minorities, so that the rights of all can be perpetuated. In Canada’s past there are many examples of how collective minority rights have been trampled upon. The Kallen typology helps to show how complex and varied these rights and groups are.

Second, we examined three bills, declarations, or charters – sets of standards or norms that might guide us in establishing rights and freedoms. As early as two hundred years ago, the American constitution declared the free exercise of religion as a right of all. Eighty years later they recognized the equality of race and abolished slavery. The United Nations extended these rights to freedoms of language, religion, politics, national origin, and property. Most recently, the Canadian Charter of Rights and Freedoms, although belatedly, also extended these individual

rights in Canada. In addition, the two charter groups were given certain group rights, and the rights of aboriginal peoples and others of the multicultural community were also recognized.

We reviewed the fate of four tragic communities whose rights and freedoms were stripped in Canada in the past. The Acadians were forcibly expelled from their homeland in Acadia and were scattered throughout North America because they were French. The Metis Nation formed on the Prairies was twice routed by armies from the East when Riel, their leader, should have become a part of the prairie political establishment. Treaties have been made with aboriginals, but to this day half of their territory has not yet been settled by treaties. The tragedy of the Jewish Holocaust is remembered by many, yet Jews continue to be mistreated, and their rights and freedoms are often restricted. Increasingly we will need to deal with Muslim rights, as more middle eastern immigrants come to Canada (Driedger and Halli, 2000).

While our standards and norms for minority rights and freedoms have evolved, these rights have been grossly neglected and misused in the past, and much more is needed in the present to correct injustices. How these injustices are dealt with will depend greatly on the change of perspective. If we want a unitary state with a homogeneous language, culture, and institutions, then obviously assimilation is the way to proceed as was attempted in the past. Many minorities will then be forced to comply to the majority culture; some will need to change too quickly with disorganization results, while still others will resist so that there will be conflict. The French in Quebec have always resisted assimilation and will continue to fight for their identity; so will the Aboriginal peoples, religious groups like the Jews, Mennonites, and Hutterites, and recent Muslim immigrants. As more visible minorities enter Canada, there will be increasing resistance to racial integration.

For a long time Canadian immigration policy has worked against a unitary melting pot and the population has become increasingly more heterogeneous. Northern European immigrants no longer dominate the top 10 largest groups that enter Canada. With recent heavy Asian immigration, Canada's population is becoming more heterogeneous, so a pluralist policy makes a great deal of sense and is more compatible with Canada's democratic and religious ideology which is diverse. As immigrants adjust with succeeding generations, modified forms of pluralism or assimilation seem logical as the various groups adjust to form a Canadian whole. Some groups will be given more opportunity to participate than others, and visible minorities should be given equal opportunities to participate. Many laws in the past were passed to keep some groups segregated and in inferior places, which again is not compatible with our Charter of Rights and Freedoms. Building a modern industrial pluralist Canada will not be easy because the regions vary considerably with respect to cultural, religious, racial, and national aspirations.

Quebec has always wanted to be a nation with aspirations for increased sovereignty in determining French-Canadian interests. Discussions on the Meech Lake Accord illustrate the differences of opinion on how special Quebec is. To what extent this uniqueness will be entrenched in the constitution remains to be seen. Like the Québécois, many groups, such as the Jews, Mennonites, Hutterites, and others with less demographic and political power also wish to construct unique 'sacred realities'. While pluralists more than assimilationists tend to look for

ethnic and racial diversity and identity, there is also much evidence that there is considerable socioeconomic and racial stratification. There is much social inequality: some groups are more powerful than others, and many minorities are 'less equal' than others. While some people would call for the elimination of social ethnic distinction so all people would have a better chance to compete in the labour market, others look for greater tolerance toward ethnic, racial, and religious diversity, so everyone can compete without prejudice or discrimination based on colour, race, creed, or gender. It is true that diversity also poses more risks for conflict, but heterogeneous populations can also create more variety and interest for a more dynamic society.

There is much evidence of social distance, stereotypes, prejudice, and discrimination in Canada. However, the United Nations' and Canadian Charters of Rights and Freedoms clearly show the way that a majority of Canadians would like to go. Canada is a pluralist multiethnic society, and there is much evidence that more and more are willing to accept and work for equality, justice, and opportunity for all.

In North America (USA and Canada) the Christian religion with its many Roman Catholic, Protestant (Anglican, United Church, smaller groups) have been the dominant religion for centuries, although not without much conflict and suspicion especially of smaller groups. In Europe, state religions were formed where they gained dominant legal powers, which resulted in much conflict, wars and persecution, especially of smaller less powerful groups. These tendencies toward "state" religion were practiced much more by Roman Catholic Christian states in South and Central America, as well as Mexico, where the Portuguese and Spanish powers settled. In North America, for the most part, uniform state religion was banned. Many smaller Protestant and other groups fled to new lands in United States and Canada, to exercise freedoms of religion, as different immigrant groups chose. But, we have illustrated some of the discrimination and conflicts which resulted. For the most part freedom of religion has been possible, but not without noted troubles. It is hard to transmit ideals of freedoms and rights, into practice and laws. Hopefully, integrating Muslims will not invoke as much conflict as such attempts of others in the past.

It will be interesting to see to what extent increasingly new immigrants who are Muslim enter Canada, and how these small minority versions of the Muslim religion will fare. Jewish Christian and Muslim faiths all begin with Abraham and Sarah described in Genesis of the Bible, but these three have developed into very different basic faiths, which have already been in much conflict. Within these three faiths of Abraham, there are also huge variations of faith, which makes the task even more complex. With the many terrorist groups of the Muslim religion, it will be increasingly harder for the Jewish and Christian dominant groups of North America to distinguish between non-violent and violent versions of the Muslim religion. All will need to learn the differences between those who follow the Old Testament, the New Testament and the Koran commitments of what Abraham, Jesus and Mohammed taught.

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