

“Reporting Discrimination”: Taking Stock of Twenty Years of Inquiries in the Fight Against Racism and Related Forms of Discrimination in Canada, 1980-2000

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Over the past two decades Canada's federal and provincial governments have undertaken several inquiries into the issues of racism and other forms of discrimination. In conjunction with the 2001 United Nations World Conference Against Racism held in Durban, South Africa an analysis was conducted on behalf of the federal government of major reports and recommendations in the fight against racism, racial discrimination and other manifestations of intolerance in Canada. Referred to as a stock taking it examined some 3,500 recommendations to combat discrimination emanating from over 400 hundred reports issued by the various levels of government between the years 1980 and 2000 (All Tables are derived from Jack Jedwab, "Action and Inaction: A Preliminary Stock Taking of Recommendations in the Fight Against Racism, Racial Discrimination and All Related Intolerance in Canada": United Nations World Conference Against Racism, Civil Society Consultations (Canadian Heritage/Multiculturalism, 2000).

The initial objective of the stock-taking was to build the single largest inventory of recommendations made in the fight against discrimination in this country. In doing so it attempted to address the following questions: what are the strategies and practices for dealing with discrimination that are proposed most often? Who should take the lead in the fight against discrimination? What areas receive the most attention from government (s) in addressing discrimination? Which groups are believed to require the most assistance and in which areas do the concerns appear greater?

Although the principal focus of the study was to examine priorities established by government(s) on the issue of discrimination the inventory included recommendations emanating from parapublic bodies (*i.e.* human rights commissions, various advisory councils, educational institutions, etc.). Very often the recommendations issued by government reflect the proposals made by organizations that represent individuals and groups that have been victims of discrimination (in particular non-governmental organizations).

The stock taking attempted to distinguish the federal from the provincial approaches in combating discrimination. As we shall observe this is often determined by jurisdictional issues that are related to the workings of the Canadian federation. The stock taking will also look at how regional diversity and specifically demographic realities influence the strategies that are adopted by different levels of government when it comes to discrimination?

There are many possible definitions of discrimination. Reports included recommendations dealing with the more overt manifestations of discrimination as well as those structural and institutional concerns that are suggested so as to prevent the incidence of discrimination. Reports tended to focus broadly on the phenomenon of discrimination and sought in as much as possible to examine those factors that may create obstacles to full participation in Canadian society

I. PRINCIPAL SUBJECT AREAS

Reports on discrimination in Canada tend to focus on the following areas: criminal justice (policing, legislative remedies, and hate and bias activities); education (public education campaigns and in the case of the provinces, schools and curriculum); employment (equity, hiring, training and accreditation in both the public and private sector); housing (homelessness and poverty); health care and social services (access and service provision); media—(electronic and print); immigrants and refugees (integration and reception).

As observed below at the federal level some one out of four major government reports were in the area of criminal justice and policing followed by the issue of employment. However reports on education were more prevalent at the provincial level followed by criminal justice and policing. Whereas in Quebec, Ontario and British Columbia there were more major reports on criminal justice and policing than on education in the Atlantic Provinces and in the Northern Territories were far more inquiries on education.

Table 1
Number and percentage of reports by subject area for the federal government and the provinces, 1980-2000

Subject Area	# Reports Surveyed-Federal (%)	#Reports-Cumulative Provincial & Territories (%)
Criminal Justice and Policing	15 (26.3)	68 (19.3)
Education	6 (10.5)	79 (22.7)
Employment	10 (17.5)	62 (17.5)
Health and Social Services	7 (12.2)	47 (13.5)
Housing	4 (7.0)	47 (13.5)
Immigration	6 (10.5)	24 (6.9)
Media and Culture	9 (15.7)	22 (6.3)
Total	57	349

There is considerable variation across the country in those subject areas which receive attention and, for example, one notes that nearly half of the reports in the area of education have emanated from the Atlantic provinces and the Northern Territories. In the provinces of Quebec and British Columbia, the largest number of reports are in the area of criminal justice and policing whereas in Ontario it is in the area of employment that there is the highest number of reports.

This contrasts somewhat with the federal government where there are relatively few reports in education (which is generally associated with public education or information campaigns) and where criminal justice and policing constitute the prevalent areas in dealing with discrimination.

The difference in reporting on education is likely a result of this area being within the jurisdiction of the provinces. On the issue of employment and health both the provinces and the federal government have had roughly equal levels of reporting. We can further observe that at the federal level there is a greater degree of reporting in the domain of culture in comparison to the provinces. On the other hand discrimination in housing seems much more in the purview of the provinces.

II. RECOMMENDATIONS IN THE FIGHT AGAINST DISCRIMINATION

Recommendations addressing discrimination focused most often on the following issues: Equity/Inclusion including: employment equity, participation, representation; Legislation/legal remedies including: new pieces of legislation, changes to existing law, new policy or guidelines; Resources/Funding/Projects including: new projects and direct requests for either new funds or the maintaining of existing funds; Training and sensitization including: cross-cultural programs, mandatory or optional training, curriculum changes, inter-group relations; Research/Collect Data including: recommendations suggesting further study or a need to gather more information; Accountability Mechanisms including: implementation, enforcement, the creation of committees to oversee a recommendation(s)

The table below looks at the relationship between the various subject areas and the types of recommendations that arise most frequently therefrom. Overall we can see that most recommendations to fight discrimination are in the area of training and/or sensitization (notably in the areas of education, media and criminal justice), followed by requests for additional resources or funding for existing or new projects. With respect to the desire for more resources it appears most often under the heading of health and social services and immigration. In the case of housing much of the focus of recommendations is on accountability and implementation. Issues of equity and inclusion are also considered important particularly in the areas of employment and criminal justice.

Table 2

Orientation for Recommendations by Subject Areas for the Federal government, the provinces and the territories, 1980-2000

Recommendations Area	Equity/ Inclusion	Legislation/ Legal	Resources/ Funding/ Projects	Training/ Sensitization	More Research/ Collect Data	Accountability Mechanisms	Total
Criminal Justice	153 (19%)	114 (14%)	106 (13%)	243 (29%)	45 (5%)	165 (20%)	826
Education	77 (10%)	44 (6%)	191 (24%)	291 (37%)	37 (5%)	150 (19%)	790
Employment	209 (33%)	69 (11%)	114 (18%)	113 (18%)	31 (5%)	89 (14%)	625
Health & Social Ser.	58 (9%)	29 (5%)	241 (39%)	127 (21%)	50 (8%)	96 (16%)	611
Media	36 (15%)	17 (7%)	68 (28%)	87 (36%)	4 (2%)	27 (11%)	239

Recommendations <i>Area</i>	Equity/ Inclusion	Legislation/ Legal	Resources/ Funding/ Projects	Training/ Sensitization	More Research/ Collect Data	Accountability Mechanisms	Total
Housing	18 (9%)	6 (3%)	97 (48%)	12 (6%)	10 (5%)	61 (30%)	204
Immigration	40 (13%)	31 (10%)	89 (30%)	63 (21%)	13 (4%)	61 (21%)	297
Other	41 (17%)	23 (9%)	121 (49%)	35 (14%)	11 (4%)	15 (6%)	246
Total	632 (16%)	333 (9%)	1 027 (27%)	981 (26%)	201 (5%)	664 (17%)	3838

It should be noted that a number of recommendations involve more than a single orientation and in the case of these multiple “recommendation categories” they were allocated in more than one area (*i.e.* a piece of legislation dealing with employment equity would be classified as both Equity and Legislation).

When looking at the provinces there are some differences in the recommendations that appear most frequently. Training/sensitization remain high amongst the recommendations emanating from reports across the country. In Quebec and Ontario there is a somewhat greater percentage of recommendations that call for increased resources. In British Columbia equity issues get slightly more mention and in the Atlantic provinces there is a greater emphasis on accountability. Overall there is a fair degree of consistency in the types of recommendations that are proposed to fight discrimination.

There is a sense that people need to be made better aware of the phenomenon of discrimination and learn more about diversity. This seems preferred over legal remedies which are not the object of a large number of recommendations though they are most frequently invoked with respect to criminal justice and employment. As to research and the collection of data it is not something that is widely proposed in reports about discrimination throughout the country (in some instances we believe this to constitute a serious omission).

The table below focuses on the recommendations arising from federal reports only over the period 1980-2000. Here the pattern differs somewhat from the cross tabulation that emerged when all recommendations were combined. Training and sensitization still remain the preferred approach in the anti-discrimination recommendations notably in regards to criminal justice, education and the media. But the adequacy of resources is also

deemed important especially in the area of health, immigration and housing. Legislative remedies with respect to immigration also stand out amongst the recommendations. Additional research notably in the areas of criminal justice and immigration are recommended more often in the federal reports than in those generated by the provinces.

Table 3
Orientation for Federal Recommendations by Subject Areas, 1980-2000

Recommendations <i>Area</i>	Equity/ Inclusion	Legislation/ Legal	Resources/ Funding/ Projects	Training/ Sensitization	More Research/ Collect Data	Account- ability Mechanisms	Total
Criminal Justice	26 (19%)	24 (17%)	11 (8%)	32 (23%)	29 (21%)	17 (12%)	139
Education	4 (9%)	1 (2%)	11 (24%)	19 (42%)	3 (7%)	7 (16%)	45
Employment	70 (36%)	26 (13%)	42 (22%)	21 (11%)	16 (8%)	19 (10%)	194
Health & Social Ser.	19 (8%)	3 (1%)	95 (42%)	56 (25%)	29 (13%)	25 (11%)	227
Media	17 (24%)	3 (4%)	24 (34%)	18 (25%)	2 (3%)	7 (10%)	71
Immigration	3 (7%)	17 (41%)	8 (20%)	2 (5%)	3 (7%)	8 (20%)	41
Total	140 (19%)	74 (10%)	196 (27%)	149 (20%)	85 (12%)	83 (11%)	717

III. DISCOURSE

In general recommendations to combat discrimination in Canada were explicitly cast or framed as either human rights, multicultural (or interculturalism in the case of Quebec) or race relations issues. While recognizing that these notions are not incompatible, it was considered important to examine the terms or discourse that is used when making recommendations in the area of discrimination. Indeed, surprisingly, fewer recommendations than expected made reference to human or fundamental rights. In part this may be due to the emphasis on multiculturalism in Canada while in other instances several recommendations in the subject areas under examination here may not be considered as matters of human rights.

Table 4
Discourse for recommendations from reports on discrimination of the federal government, regions and provinces by percentage

Prov/Region	Human Rights	Race Relations	Multiculturalism/ Interculturalism	HR/RR/M*	Total
Canada/Federal Government	27.1%	3.5	65.0	3.5	790
Atlantic	26.7%	24.1	43.7	5.0	503
Quebec	20.6%	20.6	50.3	8.6	258
Ontario	32.8%	37.3	23.8	6.9	584
Prairies	34.2%	5.2	55.2	5.2	357
British Columbia	27.5%	7.7	58.6	5.9	2 492

* Refers to recommendations that combine human rights, race relations and multiculturalism

As we can observe from the above table there are some interesting variations across the country in the discourse used to design recommendations dealing with the issue of discrimination. At the federal level multiculturalism is the term that is most frequently used in recommendations dealing with discrimination. British Columbia is the province that most resembles most the federal government in the discourse that it used in such government reports. Recommendations in the Prairies also focus on multiculturalism but still refer to human rights more extensively than is the case in any other part of the country. Like the federal government they rarely refer to race relations. We believe that this is in part a function of the federal government not having jurisdiction in the education sector where race relations characterize much of the anti-discrimination policies. In the case of the Prairies, it is the emphasis on multicultural education that we believe results in the lesser focus on race relations.

IV. DIRECTION

Recommendations were broken down according to the body or organization deemed best suited to implement a particular proposal something referred to in this study as direction. To this end, the following three sectors were identified: G = governments at all levels; PP = the parapublic sector (school boards, human rights bodies, advisory councils

etc.); C = community (particularly through its institutions and agencies). The acronym GPPC was used to refer to those areas where recommendations involve some cooperation between two or three sectors

Table 5

Direction by percentage for recommendations in reports issued, federal government, regions, provinces and the territories, 1980-2000

	Government	Parapublic	Community	G/PP/C
Federal Government	42%	26.5	11.2	20.6
Atlantic	21.8%	34.4	23.3	20.4
Quebec	52.8%	26.6	2.5	17.9.0
Ontario	28.9%	36.8	33.9	11.1
Prairies	27.0%	57.0	9.0	7.0
British Columbia	35.5%	31.5	7.4	25.2
Northern Territories	34.8%	16.6	10.9	41.3

As observed below when it comes to federal reports, it is in the areas of employment and immigration that government is believed best positioned to assume leadership on issues of discrimination. Federal reporting on Justice also involves government assuming the leadership most often although many recommendations aimed at fighting discrimination call for cooperation between government, the parapublic sector and the community.

Table 6

Direction for Federal reports in percentage by subject areas, 1980-2000

	Education	Justice	Employment	Immigration	Health
Government	40%	47.0	72.5	73.0	21.3
Parapublic	25.0%	23.5	3.5	27.0	21.3
Community	–	3.0	14.0	–	26.0
G/PP/C	35.0%	27.0	10.5	9.0	31.0
Total					

V. Markers of Identity/Designated Groups

The stock taking reveals that many jurisdictions within Canada consider ethnicity to be an important factor in analyzing the phenomenon of discrimination. Recommendations in several reports call for the governments to take into account the demographics of a given region in dealing with discrimination and thus focus on the concerns of particular

groups. Therefore the support can vary depending on the jurisdiction within which the recommendation is made.

As regards discrimination over the past twenty years most reports in Canada have dealt primarily with ethnic and racial dimension. In addition to examining these two markers of identity such others as *immigrant or refugee status, ethnicity, religion, sexual orientation, gender, disability and language*. Very often recommendations in the area of discrimination involve several identity references and there was a particular emphasis on the extent to which there were intersections between those groups that are deemed particularly vulnerable. Intersectionality between identity markers is an increasingly important element in understanding the means by which we address issues of discrimination. For example in the case of recommendations involving aboriginal communities there is considerable focus on gender and language and as such a significant degree of intersectionality in this sense. The listing of designated groups has grown increasingly complex in light of the multiple attachments and identities that are becoming increasingly common within the Canadian population.

Table 7
Identity markers in federal reports with a focus on discrimination by subject area, 1980-2000

Federal	Criminal Justice	Education	Employment	Immigration	Health	Media and Culture	Total
Visible Minorities	52.0	17.0	43.0	26.0	15.0	66.0	45.0
Ethnicity	10.2	6.8	8.6	—	59.0	—	15.3
Immigr & Refugees	3.5	9.6	6.5	33.7	9.3	—	9.1
Aboriginal	10.5	31.0	10.8	—	15.6	25.5	17.7
Other (1)	23.8	34.6	31.0	40.3	1.0	14.5	12.9

Other identity markers include Gender, Language, Sexual Orientation, Disability and Religion

With respect to identity markers in federal reports it is visible minorities that are referred to most frequently. This is especially the case with respect to the areas of media and culture, criminal justice and policing and employment. In the area of health and social services, it is ethnic identification that is the most widely referred to marker in federal reports and in the area of education, it is aboriginal peoples that are

mentioned most often. If aboriginals are mentioned in fewer recommendations it is largely a function of the way in which the issues involving aboriginals are treated. As their concerns are presented as historic rights or claims reports are more likely to be focused on the groups themselves rather than being examined on a sectoral basis in conjunction with non-aboriginal groups (this however may vary across the country).

As we can see below the situation varies on a regional and provincial basis. In the provinces of Quebec and British Columbia ethnic identification is still very frequently referred to in the recommendations on discrimination. This is not the case in the rest of the country. In the Prairies it is the aboriginals and immigrants and refugees that are referred to in most reports whereas in the Atlantic provinces it is Visible Minorities and aboriginals that are referred to most frequently in the recommendations made to fight discrimination. It is also worth noting that in the provinces of Ontario and British Columbia a number of reports on discrimination refer to other markers of identity in comparison with the other provinces. Thus when recommendations are made to combat discrimination other markers of identity tend to appear alongside those groups that are considered most vulnerable to discrimination. By contrast in the provinces of Alberta, Saskatchewan and Manitoba the reports generated tend to contain fewer references to identity markers than is the case elsewhere in the country. We have not included the Northern Territories almost all recommendations pertain to the concerns of aboriginal communities with as noted previously considerable intersections to gender and language.

Table 8

Identity Markers in regional/provincial reports by percentage, 1980-2000

Province/Region Identity Marker	Atlantic	Quebec	Ontario	Prairies	British Columbia
Visible Minorities	39%	38.8%	38.3%	15%	34%
Ethnicity	8%	44.4%	19.4%	8.8%	30%
Immigrant and Refugee	19%	8.2%	15.6%	22%	11%
Aboriginal	32%	–	6.6%	50%	4.6%
Other	2.1%	8.6%	20%	4.2%	20.4%

CONCLUSION: SHIFTING PARADIGMS IN THE FIGHT AGAINST DISCRIMINATION

Despite Canada’s demographic differences and the sometime diverging policy emphasis to which they give rise, there is considerable convergence across the country in terms of the proposed solutions to issues of discrimination. Canadians tend to prefer training and sensitization to legal remedies to fight discrimination though in certain instances they favour legislative measures.

Cooperation is deemed essential in the fight against discrimination. It is unfortunate if there is some uncertainty over who should be responsible for addressing such issues. Generally there is a great deal of support for the parapublic sector to take the lead in fighting discrimination and for adequate resources to be provided in this regard. But there are limits as to what the parapublic sector can do and clearly an increased involvement of community and government is essential. With this in mind a logical next step for further research would involve looking at the structures that exist to fight discrimination and determine whether they are sufficiently adapted to current challenges. For example what type of advisory bodies are needed to respond to discrimination?

The stock-taking also reveals that the discourse used in the fight against discrimination tends to evoke the themes of multiculturalism and race relations more so than it does human rights. In fact it often seems that human rights bodies are struggling with questions of identity-based discrimination. It is essential to reinforce the relationship between racism, racial discrimination and the promotion of human rights.

The stock-taking reveals that in many areas the same recommendations appear repeatedly. This is likely attributable to the fact that several recommendations are not producing the desired results and that information is not being effectively disseminated around what is being done in regards to the fight against discrimination.

Accountability mechanisms are also vital and over the years an insufficient number of recommendations build them into their proposals. There should be a relatively standardized method for accountability in examining actions taken to fight discrimination. Without such mechanisms it is often difficult to determine whether the recommendations made to fight discrimination achieved the objective they were set out to reach.

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Jack Jedwab, "Action and Inaction: A Preliminary Stock Taking of Recommendations in the Fight Against Racism, Racial Discrimination and All Related Intolerance in Canada": UN World Conference Against Racism, Civil Society Consultations (Canadian Heritage/Multiculturalism, 2000).