

## Lord Durham Revisited: the Cultural Struggle of Nations and Peoples Within the Canadian State

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*I found two nations warring in the bosom of a single state.*

So wrote John Lampton, the Earl of Durham, in his famous report on the causes of the 1837-1838 rebellions in Lower Canada. Lord Durham's Report went on to recommend sweeping changes in the political and constitutional structures of British North America, including a union of Upper and Lower Canada in an attempt to "elevate" the French Canadians from what he described as "hopeless inferiority".<sup>1</sup> The report was one of a continuing series of attempts in this country's history to reconcile culture and political institutions.

The reconstitution of British North America in the mid-19th century was one example of a process in which Canada still finds itself embroiled. Lord Durham believed his task to be the reconciliation of diverse elements within the colonial social and cultural fabric. His recommendations that the English majority be empowered so as to overcome the inherently conservative and, to his mind, "backward" tendencies of the French Canadians represented just one of many such attempts to build constitutional structures which both recognized and controlled the cultural diversity of what we now know as Canada. As all Canadians are aware, the fall of 1992 has brought yet another element in that on-going process, as yet another constitutional package is presented as the salve to this country's disparate and potentially antithetical elements.

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Lord Durham's vision in the 1830s was a narrow one. His task - to explain the origins of the rebellions in Upper and Lower Canada and to recommend the means of avoiding an escalation of the conflict - and the mind-set of mid-19th century British North America, led him away from the other cultural and political agendas then afoot in the land. Durham did not, nor was he expected, to address the broader and evolving cultural diversity of the colonies north of the United States. The conflicts of French and English culture and of class attracted his attention; equally profound disagreements between indigenous peoples and newcomers as well as between the evolving regional cultures of British North America received little attention. Durham's solutions sought to address one set of problems in the region, leaving the many others unresolved.<sup>2</sup>

For many decades, the French Canadian struggle for "*la survivance*" and the attempts by the British authorities and people to implement their political structures stood at the centre of Canadian debate and discourse. Beginning in earnest with the Bilingualism and Biculturalism Commission of the 1960s, English Canada has made an effort, episodic and not always resolute, to accept and accommodate the French "fact". For an even longer time, beginning with the British conquest of New France, French Canadians have had to deal with the reality of British demographic and political domination. From Governor Carleton and the *Quebec Act of 1774* to Brian Mulroney, Robert Bourassa and the Charlottetown Accord of 1992, Canadian political and constitutional life has frequently centred on an attempt to bring together the "two nations warring in the bosom of a single state". But this important effort gives short shrift to a different Canadian reality, that this is a country of many cultures and that these cultures have, since early times, had to struggle for their place within an evolving Canadian state.

Canadians have now accepted the fact that the history of this country began before the arrival of European explorers. While attention to this fact remains relatively slight - a recent university text-book on pre-Confederation Canada devotes only seven of its over 500 pages to the pre-contact period - First Nations peoples have found their way onto the intellectual agenda in this country. Indigenous cultures are, of course, very ancient. Iroquoian accounts of the origins of human life on this continent speak of the role of Aataenstic, daughter of the Great Sky Chief, in

the creation of Turtle Island. Other people offer different accounts of the combined spiritual, human and animal forces which brought the world into existence. The more sceptical Western tradition seeks different explanations; the generally accepted interpretation is that indigenous people migrated to North America across the Beringia land bridge some 15,000-20,000 years ago.<sup>3</sup>

For generations, Canadian understanding of these people and their culture was minimal at best, riddled with stereotypes and western assumptions about the barbarism, poverty and depravity of indigenous people. As Canadians began to listen to First Nations peoples, and to re-examine the anthropological and historical roots of this country, a dramatically different picture emerged. There was a general understanding that there were many unique indigenous cultures in the northern half of North America. Early travellers recognized, in a rather imprecise way, the cultural gap between the Huron and the Ojibway, the Micmac and the Innu, the Nuu-Chah-Nulth and the Tsimshian.

But the word "Indian", a vague and historically inaccurate term, nonetheless made its way into the Canadian lexicon and became the epistemological basis for certain assumptions about the fifty-five First Nations in what is now Canada. Perhaps as a way of glorifying their cultures, or of displaying their insecurity about surviving in the New World, newcomers quickly came to disparage the indigenous people. Accounts of west coast cannibalism and slavery, Iroquoian savagery, Inuit starvation, Beotuck wrongdoing and Plains Cree duplicity, often based on rumour or a misreading of evidence, became entrenched as basic descriptions of indigenous cultures and proved extremely difficult to dislodge. So certain were they of the inherent superiority of the European social, economic and cultural system, that the newcomers assumed that the First Nations lived a life on the bare margins of subsistence and looked with awe upon the technological sophistication of Europe.<sup>4</sup>

The reality, on both counts, was dramatically different. The First Nations did not live lives of unrelenting hardship and suffering. The Tsimshian, Salish, Haida and other west coast people developed rich and diverse lifestyles off the natural abundance of their homelands. The Huron and

Iroquois Confederacies evolved complex political structures, erected substantial agricultural settlements, and developed extensive trade networks. In the sub-Arctic and Arctic regions, indigenous cultures appeared, on the surface, closer to the European stereotype. There were no permanent settlements, extended families moved together over large areas in pursuit of game, and political structures suggested, to the uninformed observer, a lack of internal cohesion and organization. But sophisticated survival strategies, a rich and complex spiritual life, and a detailed understanding of the limits of the physical world provided a security of life that most newcomers could not or would not understand.<sup>5</sup>

The First Nations cultures were also dynamic and changing. They did not live, as most newcomers subsequently believed, in stone-age ossification, untouched and unchanged over countless generations. Changes came from many sources - shifts in climate, alterations in the supply of fish or animals, responses to the development of new technology, conflicts or accommodations between nations - and ensured that indigenous cultures did not remain static. The situation as described by the first European explorers, a process of description that began in the 16th century and was not completed until the 19th century, did not provide an accurate portrait of the indigenous reality in what is now Canada.

Often missed, as much in contemporary discussions as in considerations of the historical record, is the degree of difference between indigenous cultures. On a strictly linguistic basis, there were fifty language groups across what is now Canada, divided into 12 linguistic families. Differences in language were matched by other cultural distinctions. The hierarchically organized west coast societies, the Kwagwiltz, Tlingit and others, bore little resemblance to the mobile Inuit of the Arctic districts. Similarly, the caribou hunters of the sub-Arctic lived a radically different life than the Huron of the Great Lakes region. First Nations differed according to systems of political organization, religious belief, economic activity, attitudes toward warfare, the role of women and all the other characteristics which differentiate national groups from each other. The First Nations were, to make an old point, as different from each other as were the European nations vying for control of the new world.

The First Nations' world changed dramatically with the arrival of Europeans in the Western hemisphere. There is great debate about the nature of what Alfred Crosby has described as "the Columbian exchange". The Europeans brought technology, such as firearms, and plant and animal life. A similar exchange went in the opposite direction. The new items typically passed inland far in advance of the Europeans; the horse, for example, was passed between cultures from Central America to the northern plains, causing substantial alterations in indigenous cultures. Similarly, the availability of new material goods, including items of domestic value like axes and metal pots and tools of war like guns, swiftly altered the subsistence patterns and the balance of power between nations.<sup>6</sup>

Of all the changes, however, none matched the devastating impact of imported disease. The First Nations of North America were vulnerable to what have been described as "virgin soil epidemics", diseases to which the affected populations have little immunity. Because of the biological gap between the New World and the Old World, the First Nations had not developed an immunity to many of the most elemental European ailments. Chicken pox and measles, childhood diseases in Europeans, killed hundreds of indigenous people. Scholars continue to debate the demographic impact of the virgin soil epidemics. Available evidence suggests, however, that large numbers of people died, as much as 60-75% of some cultural groups, in the first century or so of direct contact with Europeans. Here again, as with guns and horses, the diseases typically moved far in advance of the European expansion; many of the indigenous cultures visited by European explorers had already been disrupted by disease.<sup>7</sup>

The establishment of permanent European settlements altered the situation for the First Nations yet again. During the initial phase, the Europeans maintained a grudging acceptance, bordering at times on admiration, for the knowledge and ability of the indigenous peoples. For the French based primarily in the St. Lawrence valley and for the English settlers to the south, the First Nations were valuable military allies, labourers, provision hunters and trading partners. Reciprocity was commonplace, although French and English correspondence repeatedly reveals that the arrangement was, from the European side, one of convenience rather than commitment.<sup>8</sup>

Perhaps the best example of the close cooperation between newcomers and indigenous peoples rests with the emergence of the "New Nations". In several locations, particularly the western Great Lakes and the Red River region, newcomers and First Nations mingled. New cultures emerged, of which the Metis people of the Great Plains are the best example. In most instances, these cultures flourished only when sustained by an active fur trade; as the settlement frontier advanced, the people were soon overwhelmed. On the plains, however, the buffalo hunt became the basis for a rich and vibrant culture, one drawing on both European and indigenous traditions and which developed and sustained its own identity.<sup>9</sup>

By the early years of the 19th century, the equation had shifted dramatically. The First Nations lost their important role in military affairs, emerging more as a threat to the peacemaker than as vital allies in the war for the continent. Although indigenous leaders expected, and not without good reason, that the political alliances of the past would remain in operation, they were soon shown to be wrong. As indigenous people lost their utility to the European settlers, either as warriors, traders or labourers, the newly dominant society quietly pushed them to the periphery. It was soon evident that the Europeans had, for the most part, tolerated rather than accepted the cultural differences of the First Nations.<sup>10</sup>

By the mid-19th century, the collision of newcomer settlements and indigenous people engendered a new approach to cultural relations in British North America. Wherever settler societies established demographic, economic and military superiority over and independence from First Nations (a process that was far from complete at this time), the newcomers asserted cultural authority.<sup>11</sup> Government policy shifted rapidly from one based on respect and mutuality to an assertion of dominance and obligation. First Nations, former allies, found themselves attached to small reserves, denied certain political and legal rights and re-created as "wards" of the British Empire. A myriad of programs, including missionary efforts, colonial schools, proscriptions on personal freedoms and legal wardship, were implemented in an attempt to control the indigenous people. There was considerable resistance - personal and non-violent rather than military - to the new regulations and concerted efforts by many First Nations to re-assert their autonomy and

freedom. Within a matter of decades, however, the British colonial authorities had used parliamentary and legal means to strip the First Nations of their authority.<sup>12</sup>

By the mid-19th century, therefore, culture had come to figure prominently in British North America's attempts to define and create itself. While the primary point of conflict was between French and English, a struggle which ranged from a century-long battle for dominance of North America to constitutional turmoil within British North America, the approach to the continued existence of the First Nations suggested that the discord was far from one-dimensional. The colonial authorities had, with considerable reluctance as Lord Durham's comments suggest, grudgingly accepted the inevitability of the "French Fact", and established political and legal mechanisms accordingly.

No such concessions were forthcoming on the First Nation's front. Efforts at incorporation stopped short of the American model of armed conquest, but British officials believed that legal and administrative maneuvers could be just as effective in efficiently removing indigenous people from the colonial landscape. The mechanisms worked at one level, in that they successfully converted obligations to former "allies" into a social "problem", to be dealt with by way of Christian charity and government benevolence. The colonial processes scarcely took indigenous wishes into consideration, nor did they account for the persistence and determination of First Nations to retain their sense of cultural distinctiveness. The lesson of the French Canadians, showing resolve in the face of considerable adversity, was not learned with regards to the First Nations, such was the British officials' belief in the inherent superiority of the European system over indigenous beliefs and customs.

In the years leading up to Confederation, the goal was clearly to create a unitary cultural state, one which reflected the inherited traditions of the British Empire. Efforts to eliminate the French presence had been unsuccessful, but the aura of superiority remained in many quarters. Demographic conditions, particularly the deeply entrenched nature of settlement along the St. Lawrence, prevented a quick disruption of French Canadian society.<sup>13</sup> And so, a legislative

framework emerged in which the British Authority conceded the inevitability of French Canada. The French Canadians capitalized on this framework, using as a basis for survival the very constitutional measures intended by Lord Durham to undermine their political power. French Canada could hardly rest easily, however, for the British imperative of the colonial system remained strongly in evidence. The Confederation compromise - the first of many such deals in Canadian political history - represented an attempt to reconcile these conflicting visions.<sup>14</sup>

The challenge to the unitary intent of British North America and the new Dominion of Canada came, ironically, as much through economic changes as through a shift in political ambitions. As the latter part of the 19th century unfolded, Canadians expected that their country, now expanded from sea to sea to sea, would replicate the American economic miracle.<sup>15</sup> The effort to duplicate the United States's circumstances was shown by a national zeal for railways, a concern that indigenous people might arrest "progress", and a belief in the importance of settling the prairie west. While the first two elements could be dealt with internally, the desire for prairie farmers diverted the country's attention. The government initially hoped that farmers from land-poor Ontario and Quebec would head westward; relatively few did so. Federal officials also counted on a massive northward migration from the United States, where free land was increasingly in short supply. That movement materialized, but later and on a smaller scale than anticipated.<sup>16</sup>

The government's vision, shared by most of its people, of a country that reproduced itself culturally in its relatively unpopulated western regions, proved unattainable. Although great efforts were made to attract British, American and Northern European settlers, the reality of the age was that the migrant population lay elsewhere. Domestic turmoil, economic depression, racial and religious persecution and perceived opportunities in the New World pushed hundreds of thousands of Eastern Europeans toward Canada. On the Pacific Coast, large numbers of Japanese, Chinese and East Indian migrants sought opportunities in British Columbia. The non-political reconstitution of Canada was, in the last two decades of the 19th century, launched in a major way.



There had long been diverse strains in the migrant history of Canada, challenging the sense that the region was solely a French and British imposition on an aboriginal landscape. The Irish came over in large numbers in the 19th century, and there were pockets of Scottish, Welsh, American, German and other settlements across the eastern colonies.<sup>17</sup> But the scale and scope of the new wave of migration sent the country off on a new course. Estonians, Gallacians and Ukrainians fulfilled the dream of Clifford Sifton, Minister of the Interior in the Laurier government, for peasant stock, well-suited to the realities of prairie life.<sup>18</sup> There were, as well, Jewish people migrating from Eastern Europe, primarily to the cities. East Indian, Chinese and Japanese migrants arrived in large numbers on the west coast.

These developments did not pass unnoticed. Increased Oriental immigration to British Columbia alarmed the largely British residents to the extent that they launched a concerted campaign to preserve "White Canada Forever".<sup>19</sup> Although many agreed that the emphasis on Eastern European migrants brought economic benefits, the government was deluged with complaints about the newcomers. Responding to public pressure, officials redoubled efforts to attract the more acceptable American and British immigrations.<sup>20</sup>

Widespread hysteria about the increase in immigration missed an essential element: even in a period marked by the growth of non-British migration, traditional sources of immigration predominated. In the period from 1867-1914, for example, a total of 1,140,000 immigrants arrived from Europe. Of these, 752,000 came from the British Isles and an additional 114,000 from northern and western Europe. Eastern Europe generated 243,000 migrants, while 31,000 came from southern Europe. During this period 243,000 arrived from the United States, most of whom represented little threat to the cultural status quo. Asian migration, the source of such controversy and cultural gnashing of teeth, accounted for only 34,000 people, two-third of whom settled in British Columbia.<sup>21</sup>

The migrant wave at the turn of the century, while perhaps the most well-known in Canadian history, represented only the first substantial post-Confederation recasting of the cultural

landscape. Immigration into Canada has gone through a series of peaks and valleys. The years from 1867 to the end of the century, with the exception of a brief flurry of activity in 1882-1884, failed to meet national expectations. The boom years of 1903-1914 saw between 130,000 and 400,000 people enter the country each year. Migration dropped off precipitously during the First World War, but picked up again through the 1920s, with most years seeing about 150,000 immigrants arrive in the country. The depression years witnessed a firm slamming of the doors on migration, particularly for groups like Jewish refugees. There was a brief flurry of migration in the late 1940s; 30% of all immigrants to Canada after 1867 arrived in the ten year period from 1945 to 1955.<sup>22</sup> This was followed closely by a period of sustained high rates of immigration which ran from 1964 into the 1970s. One obvious consequence of this pattern of immigration was a substantial recasting of the cultural landscape in Canada.

**ORIGINS OF THE CANADIAN POPULATION, SELECTED COUNTRIES 1871-1971**  
(Thousands)<sup>23</sup>

<b>Year</b>	<b>British</b>	<b>French</b>	<b>German</b>	<b>Chinese</b>	<b>Japan</b>	<b>First Nations</b>	<b>Black</b>
1871	2,100	1,082	202	---	---	23	21
1901	3,063	1,649	310	17	4	127	17
1921	4,868	2,452	294	39	16	113	18
1941	5,571	3,483	464	34	23	125	22
1961	7,996	5,540	1,049	58	29	220	32
1971	9,624	6,180	1,317	118	37	312	34

In this period, the pattern of immigration into Canada followed a somewhat different path. In the 1920s and 1930s, a substantial group of southern Europeans, particularly Italians, entered the country. In the 1950s, an even larger immigration occurred, this time drawing hundreds of thousands, including people displaced by the war and refugees from the new communist regimes

in Europe. Immigration to Canada between 1946 and 1961, a period which saw 1.5 million people into the country, came predominantly from six countries: Britain, Italy, Germany, Holland, Poland and Hungary.

The last few decades have seen a markedly different migratory path to Canada. While the effort continues to attract immigrants from northern Europe - the historic hearth of Canada's non-indigenous population - the ravages of war, repression and economic chaos produced vast waves of would-be migrants. This, tied to Canada's comparatively liberal refugee policy, provided the framework for a substantially different cultural structure in the country. The latest group of migrants has been global in diversity and origin, drawing in people from South-East Asia and Africa, the Caribbean and Central America. As well, an acceleration of migration from Asia, particularly Hong Kong, China and India, has added to the cultural complexity of the immigrant pool. Consider, for example, different patterns of migration from 1956 to 1976.

#### IMMIGRATION TO CANADA, SELECT YEARS BY CONTINENT OF ORIGIN

<b>Year</b>	<b>Europe</b>	<b>Africa</b>	<b>Asia</b>	<b>N&amp;C Amer.</b>	<b>Caribbean</b>	<b>Total</b>
1956	145,554	1,079	3,537	9,883	1,245	164,857
1966	148,410	3,661	13,835	17,738	4,133	194,743
1976	49,908	7,752	44,328	18,671	14,842	149,429

The significant increase in non-European immigration, more than offset by substantial gains in Asia, Africa and Caribbean migration once again altered the face of migrants into Canada.

The migrants did more than simple move into Canada. By their existence, and through their customs, desires and expectations, they challenged the cultural status quo and thus represented a major threat to the British-French entente which had governed the country since the marginalization of First Nations people in the 19th century. The challenge came from no single source; the Ukrainians and the Sikhs were both substantially different from the dominant northern European society. So, too, were the Italians and Haitians, the Vietnamese and Chinese, the

Ugandans and Greeks. Each brought elements of their culture with them to the new world and, to different degrees, a desire to retain those characteristics in a country governed and administered along sharply different lines.

The First Nations' experience of the 20th century shared many characteristics with that of the ethnic minorities. The pattern of wardship continued, and expanded as the nation state reached into the far corners of the country. The government used this self-appointed power and the declining economic position of most First Nations to establish a nation-wide effort at cultural destruction. Indigenous values, spiritual beliefs, and political traditions were to be swept aside and replaced with a limited set of national expectations. Methods ranged widely, from the removal of the Metis off their lands and suppression of the potlatch on the west coast to a national network of residential schools, which provided the church and state with the best possible opportunity to transform children's values and attitudes. When the First Nations organized in protest, as they did successfully in several parts of the country, the federal government passed measures restricting the right to organize and raise funds for the purposes of sustaining their demands.<sup>24</sup>

The full effect of decades of government suppression and control will never be known. In some areas, indigenous languages fell into disuse, elders lost authority with their societies, and traditional values were gradually eroded. But the First Nations did not simply surrender to the power and weight of the dominant society. The residential schools, a primary forum for attacking indigenous cultures, ironically provided both a cause and an organizing forum for protest. As well, external acquiescence to the authority of the state did not mean either obedience to or acceptance of that authority. In many instances, protest was internalized, revealed through alcohol abuse and domestic violence. Sustained through this period of assault was a sense of cultural distinctiveness and a commitment to cultural survival. First Nation groups continued to organize, using acceptable institutions such as churches and fishermen's associations as instruments of survival, and otherwise sustained their traditions as much as possible.<sup>25</sup>

While Canada has maintained and projected an image of itself as a mosaic of cultures and peoples, the historical reality is somewhat different. Immigrant groups tended to stay together, drawn to a region, industry or community by family or other ties to the homeland. Ethnic pockets emerged, therefore, from the Japanese settlement in Stevenson, British Columbia to the Irish townships in Ontario, from Finnish-dominated work camps in northern Ontario to Mennonite districts in southern Manitoba. New migrants tended to coalesce with fellow nationals, thus enabling them to maintain something of their language, culture and traditions. And so, across the country, ethnic groups gathered in bunk-houses, churches, farming villages, political organizations and other associations, striving to hold onto their cultural identity.<sup>26</sup>

This very process, however, added to the concerns of the dominant society about ethnic enclaves and convinced many political leaders to favour culturally restrictive measures. For the past century, and more, provincial and national governments have instituted and implemented myriad measures to control and limit the evolution of minority cultures within the country. Some of the steps have been overt, as with British Columbia's legislation to restrict Chinese immigration to the province, which was over-turned by the federal government. In other instances, the government interventions have been masked. The Winnipeg police force, for example, responded rather differently to Ukrainian celebrations, boisterous by British-Canadian standards, than to other public and private gatherings. There is no doubt that culture and ethnicity have been guiding forces in Canadian policy. Measures to restrict Jewish immigration into Canada before and after World War II have their roots in deeply-entrenched anti-semitism, just as government moves against Ukrainian-Canadians in World War I and Japanese-Canadians in World War II have their roots in widespread distrust of "foreigners", particularly in times of war.<sup>27</sup>

Canadian cultural initiatives were rarely so blatant, however, as incarcerating new immigrants or passing restrictive laws. Generally, Canadian authorities believed that the newcomers would and should integrate themselves into the Franco-British mainstream (primarily the latter, as much of the pre-World War II immigration was into predominantly English-speaking areas). Alternately, Canadian promoters of cultural unity promoted "a biological merging of

settled communities with new immigrant groups and a blending of their cultures into a new Canadian type."<sup>28</sup> Considerable attention was therefore paid to the provision of English or French language instruction for immigrant children and to other public measures which made it abundantly clear that Canada was a nation of two dominant cultures. Many immigrants internalized this process, accepting the legitimacy of the national culture and seeking to be accepted within the mainstream. At a family level, this often meant abandoning traditional language, dress and culture, or retaining them primarily for ceremonial occasions. To be Canadian, most immigrants believed, was to accept the structures and dictates of the national cultures.

French Canada kept to itself for the most part through these years. Internal tensions over the role of the church, the nature and intensity of nationalism, and the struggle with the social and cultural ramifications of industrialization turned Quebec's attentions inward. The French Canadians recoiled when English Canada attempted to impose its will, as during the conscription crisis in World War I. There was also a sharp reaction to cultural diversity within, as the Jewish people and political dissidents of Quebec discovered on several occasions. In general, the preoccupation with "*la survivance*" and continued fear of being swallowed up by the English-speaking juggernaut in North America limited Quebec's interest in matters of national cultural policy.<sup>29</sup> Concern did arise about immigration, which threatened to dilute Quebec's place within Confederation, particularly when proposals arose for the immigration of substantial numbers of Jewish migrants.<sup>30</sup>

Only in the recent past have Canadians come to attend to the implications of being an ethnically and culturally diverse country. Efforts to supplant, if not destroy, indigenous cultures continued into the 1960s, delayed only by the determined resistance of the First Nations themselves. Similarly the assumption that French and English represented the only cultures and languages of lasting significance in Canada remained substantially unchallenged into the decade of discord. The social ferment of the 1960s, however, particularly with the increased emphasis

on minority rights and a determined challenge to the organizing assumptions of the Canadian state gave renewed voice to the hitherto ignored minorities in the country.

Ironically, the struggle for an acceptance of cultural diversity in Canada emerged, at least in part, as a by-product of the contest between French and English. Government preoccupation with the politics of bilingualism and biculturalism drew attention to Canadians' general ignorance of the many other constituent nationalities in the country. As Howard Palmer observed:

*Many non-British, non-French groups, but particularly Ukrainians, opposed the view that Canada was bicultural. By 1961, 26 per cent of the Canadian population was of other than British or French ethnic origin; over two hundred newspapers were being published in languages other than French and English; there were fairly well-defined Italian, Jewish, Slavic and Chinese neighbourhoods in large Canadian cities, and there were visible rural concentrations of Ukrainians, Doukhobors, Hutterites, and Mennonites scattered across the western provinces; thus how was it possible for a royal commission to speak of Canada as a bicultural country?<sup>31</sup>*

As well, the self-empowerment of disadvantaged groups, particularly the First Nations and visible minorities in the 1960s and 1970s made it abundantly clear that the old priorities and assumptions could not stand sustained scrutiny.

Multi-culturalism, as a national policy, emerged in the early 1970s and gradually gained legislative and political weight.<sup>32</sup> Over time, the great acceptance of cultural diversity resulted in grudging concessions to First Nations and other cultural minorities, through such measures as government funding of organizations, legislative and constitutional changes which strengthened the commitment to a multi-cultural conception of Canada, and a substantial restructuring of the education system to respect and integrate the experiences of non-French and non-British cultures. The new order was not without its critics, with much of the backlash of a racist type, targeted at government measures to assist First Nations and visible minorities.<sup>33</sup>

Canadians have, in the recent past, applauded their efforts to create opportunities for ethnic and cultural minorities. At a general level, and in typical Canadian fashion, attention has been divided between the Canadian "acceptance" of cultural diversity through its adherence to the mosaic model, and the American dedication to the concept of the cultural melting-pot.<sup>34</sup> Such sanctimoniousness, however, ill-prepared Canadians for the recent backlash against national policies. A complex web of events, from authors' criticism of publishers and book-sellers to the Oka stand-off in the summer of 1990 and accusations of racism in metropolitan police forces, have made it clear that the "concessions" offered by the dominant cultures to First Nations and minorities in Canada have not been completely accepted as a sincere commitment to a multi-cultural Canada. Judged by the minority groups, rather than by the self-serving standards of the dominant societies, Canada has seemingly not matched its multi-cultural rhetoric with national action.

For the past decade, Canadians have debated many different constitutional and legislative arrangements. The various proposals for reform and revision have typically included a small "tip of the hat" to Canada's multi-cultural traditions and have provided legal protection for the rights of minorities. It is clear, and hardly surprising, that this commitment to cultural diversity comes with certain strings attached, namely that there are finite limits (not well-defined) to the government and public support for multi-culturalism and that cultural diversity is to be encouraged within a framework which remains wedded to a British/French structure. Such is the nature and intensity of English-French rivalry within Canada that the effort to accommodate cultural diversity rarely assumes a central role.

Recent relationships with First Nations provide an excellent illustration of the limited acceptance of cultural diversity. During the *Gitksan-Wet'suwet'en* court case in British Columbia,<sup>35</sup> the indigenous peoples assumed that the full recounting of their culture and history would convince the judge, Chief Justice Allan McEachern, of the justness of their case. They lost their legal case, likely on firm legal grounds. Most significantly, however, they lost their cultural and historical arguments, for Justice McEachern's summary of the case revealed a total disagreement



with the ideas advanced by the people. There have been "victories" of a sort on different fronts, including substantial land claim deals across the North, shared jurisdiction agreements and new funding arrangements. Different attitudes prevailed to some extent, however, in the Court of Appeal.

If the rhetoric of participants is to be believed, it appears as though the structures of a racist, colonial state are in the process of being dismantled. The reality, however, is very different. Aboriginal rights, to the degree that they are accepted within the Canadian system, are defined with reference to the values and traditions of the dominant society. To the extent that First Nations are gaining power, they are achieving those gains within a British/French framework. In a very limited number of cases, there has been an acceptance of the cultural distinctiveness of the First Nations. In such instances, for example in calling on elders to assist with sentencing and punishment, the minor changes in legislative and legal action is limited to First Nation participants.

There is an important lesson in all of this. When concessions or changes are made in the operation of the Canadian system, the alterations are targeted at a specific group or groups. Hence, First Nation groups have argued successfully that specific powers or abilities should devolve to their institutions. Members of other cultural minority groups have argued less successfully that they are deserving of special consideration. Lessons drawn from one culture, such as a specific First Nation, therefore, are applied only back to that group or in a unique instance. Following this logic, changes made in the Canadian system - and they are few indeed - have been in the form of concessions to groups that might otherwise cause difficulty.

Approached differently, this means that Canadians and their leaders have rarely taken the opportunity to learn the experience of other cultures. Put simply, it suggests that cultural diversity continues to be viewed in Canada now, much as it was 100 years ago - as a problem to be solved so as to limit controversy and dissent. There is an alternative. It is conceivable that the diverse cultural groups which make up Canada could be seen as a resource, and cultural diversity as an opportunity. Taken in this vein, the rich and complex histories and experiences of Canada's

constituent past - Micmac and Chinese, Ukrainian and Cree, Jamaican and Ugandan, Swedish and Ojibway - could be tapped as a national treasure. The concept is not far-fetched; several of the political leaders charged with drafting a political structure for the United States of America found partial answers in the Iroquois confederacy. The contemporary reality, however, remains locked to the patterns of the past, in which the dominant British traditions compete with demands from French Canada, and in which the demands from First Nations and other minority cultures are treated as irritants to the national status quo.

Lord Durham, to return to the opening theme, was clearly a man of narrow vision. His interpretation of French Canadian culture understandably infuriated many in Lower Canada, while it pandered to stereotypes and fears among British settlers in the colonies. But his preoccupation with "two nations" missed an essential element in the existing British North American landscape, namely the First Nations, who had only recently been dropped from their status as "Her Majesty's Allies" to the less-flattering position as wards of the state. Durham's controversial report re-established the central agenda in Canada's political history, namely seeking to reconcile the divergent traditions and expectations of English and French Canadians. Even a cursory glance at contemporary Canadian realities reveals that the country has not advanced much beyond the debates of more than 150 years ago.

But the British North America of the 1830s bears little resemblance to the Canada of the 1990s. Waves of non-British and non-French migration, decades of attempted assimilation of newcomers, the deliberate marginalization of indigenous cultures, and the resilience of minorities within the country, have created a cultural reality that is increasingly inconsistent with national structures and legislative traditions. Increasingly, First Nation and other minority groups have demonstrated their unhappiness with the status quo and indicated that sweeping changes are required to bring Canadian institutions in line with Canadian cultural realities.

Were Lord Durham to visit Canada in this decade, he would find evidence of many different nations and nationalities struggling, not warring, within the bosom of a single nation

state, which remains bound by the political and legal traditions of two founding countries. In the 1830s, Durham sought the political and legislative means to bring French and English together as a means of preventing further dissention and conflict. In the 1990s, surely one of Canada's national goals must be to recognize the cultural diversity that already exists within. To continue on a path which marginalizes or isolates cultural minorities is to continue an historical tradition which separates Canadian institutions from its anthropological and cultural realities. Such a process represents a denial of Canada's essential nature and would leave us unprepared for the issues that lie ahead.

## FOOTNOTES

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