

## CHAPTER 18

# Interethnic Relations and Racism in Quebec

—Maryse Potvin, Université du Québec à Montréal

### — TIMELINE —

**1701** The Great Peace of Montreal signed between France and 39 Aboriginal nations to end their conflicts.

**1709** New France legalizes slavery through ordinance from Intendant Raudot. Practised since beginning of seventeenth century under Code Noir (adopted by France in 1685), slavery would continue under British regime in Quebec until it was abolished in 1833.

**1759** Conquest of Quebec results in British dominance over French population, which is five times more numerous.

**1816–51** Canada's first wave of massive immigration brings nearly one million British, Scottish, and Irish immigrants to Quebec City, Montreal, and other Atlantic ports.

**1839** Lord Durham's *Report on the Affairs of British North America* recommends that British immigration be increased in Canada to speed cultural and linguistic assimilation of French Canadians.

**1879–1914** Dominions Land Act (free land grants, 1872), John A. Macdonald's National Policy (1879), and the Sifton Plan (1896) are part of largest push in Canada's history to increase immigration. Immigrants are sought to colonize the West, set up farms, provide cheap labour force in industrial Ontario and Quebec, build

Canada's national railway, and establish nation's infrastructure.

**1880–5** Immigration policy restricts and excludes Asians (especially Chinese and Japanese) through quotas and taxation, and subsequently prohibits their entry into Canada outright (through legislation affecting Japanese immigration applicants in 1908 and Chinese Immigration Act of 1923).

**1874–9** Deep recession causes massive exodus of French Canadians to United States. Between 1880 and 1890, nearly 150,000 (or 11.3 per cent of Quebec's population) leave the country. Between 1840 and 1930, one million emigrate southward.

**1923** After First World War, Canada's federal government passes Empire Settlement Act to pursue its development of West through immigration.

**1939–45** During Second World War, thousands of Jewish refugees, seeking refuge from Nazism, turned away from Canada. When Japan joins war, Canadians of Japanese ancestry interned in work camps or deported, and their property confiscated.

**1946–61** Many Italian and British immigrants settle in Quebec, followed in numeric importance by Germans, Austrians, French, Greeks,



and Jews from various countries (including numerous Holocaust survivors).

**1947** First federal Citizenship Act creates legal status of 'Canadian Citizen', but is still based on an ethnic conception of 'nation' and the importance of preserving cultural homogeneity.

**1952** Immigration Act establishes framework for managing immigration and grants major discretionary powers to immigration officers in selection of candidates. Eligibility and exclusion criteria remain unclear.

**1956** Federal regulation clearly establishes hierarchy of ethnic preferences for Canadian immigration policy. Canada decides to prioritize immigrants from Commonwealth and northern Europe; then eastern Europe; southern Europe, Middle East, and Latin America; and Asian and Africa.

**1962** New regulations abrogate preferential provisions for British, French, or American immigration candidates and replace them with 'objective' selection criteria, based on applicants' education level, employability, and professional and technical qualifications.

**1967** Abolition of all preferential (or discriminatory) immigration provisions.

**1968** 'St Leonard School Crisis' triggered when a suburban Montreal school board decides to do away with bilingual classes and replace them with classes taught in French.

Creation of Quebec's first Ministry of Immigration (MIQ).

**1971** Multiculturalism Policy of Canada passed.

**1975** Quebec's Charter of Human Rights and Freedoms adopted, establishing fundamental rights of citizens as inalienable principles that take legal precedence over all other legislation.

**1977** Charter of the French Language (Bill 101) passed, establishing links between integration

of immigrants and province's common public language.

**1982** Canadian Charter of Rights and Freedoms entrenched in Canadian Constitution. Multiculturalism integrated into Charter.

**1986** Federal Employment Equity Act adopted, introducing term *visible minority* and forcing companies under federal jurisdiction to adopt an equity plan for some target groups, including women, visible minorities, and Aboriginal peoples.

**1988** Canadian Multiculturalism Act passed.

**1990** Gagnon-Tremblay-McDougall Accord gives Quebec exclusive jurisdiction over integration and selection of 'independent' immigrants. Policy Statement on Immigration and Integration adopted. It is subsequently updated in government's 2004 Action Plan, which best describes the Quebec model of interculturalism. Oka standoff becomes a political crisis over Aboriginal land claims that lasts three months, pitting Mohawk nation and its allies against governments of Quebec and Canada.

**2005** Canadian government passes *Canada's Action Plan Against Racism*, presented as pan-governmental effort against racism.

**2006–8** Reasonable accommodation crisis. On 8 February 2007, Consultation Commission on Accommodation Practices Related to Cultural Differences (also known as the Bouchard-Taylor Commission) struck. It files its final report on 19 May 2008.

**October 2008** The Quebec government unveils *Diversity: An Added Value: Government policy to promote participation of all in Québec's development*, which focuses on fighting discrimination based on sex, age, disability, social condition, sexual orientation, colour, and ethnic or national origin.

**September 2009** Bill 16, 'An Act to promote action by the Administration with respect to

cultural diversity' tabled, immediately contested, and indefinitely shelved.

Contrary to some received wisdom, Quebec has never been a homogeneous society. It is true that Quebecers of French-Canadian origin currently account for 78 per cent of the population, that 81.6 per cent of Quebecers speak French at home, and 83 per cent claim to be Catholic.<sup>1</sup> But historically, Quebec (and Canadian) society has been shaped by successive waves of population settlement, beginning with the Aboriginal peoples, followed by French and then British colonizers, and sustained by an increasingly diversified combination of newcomers.

Although Quebec's population has grown increasingly diverse and recent governments have adopted an inclusive public discourse, (backed by a substantial battery of measures to promote equality), there are still major gaps between this 'official' normative discourse on one hand and the reality of inter-group relations and their mutual representations on the other hand. Persistent instances of social malaise and racializing discursive 'slips' have been observed vis-à-vis immigration and the integration of newcomers to Quebec. Our hypothesis is that these instances of malaise seem to be linked to the fragile status of francophone Quebecers as a majority group and their attachment to the gains of 'modernity' in Quebec—the secularization of institutions, movements toward gender equality, and the entrenchment of French as the common public language.

This chapter sets forth some explanatory hypotheses about the gaps between official normative discourses and popular/media discourses in Quebec. It provides a snapshot of diversity and ethnic relations in the province, and more specifically examines racism in its shifts, empirical forms, and manifestations in social practices and discourses,<sup>2</sup> particularly in public debates (as we will show with the 'reasonable accommodation' debate). It also resituates the influence of Quebec–Canada relations within the problematics of racism in Quebec and the dual majority/minority identity status of francophone Quebecers of French-Canadian origin which permeates the province's social discourse on ethnic relations. It concludes with an appeal to bring broad-based civic education to a variety of settings in Quebec.

## ETHNIC DIVERSITY AND INTER-GROUP RELATIONS

Ethnic pluralism, or pluriethnicity, is inherent to the history of Quebec and Canada. This land of Aboriginal peoples and French and British colonizers has also been a land of hope and sanctuary for many subsequent waves of immigrants, including the United Empire Loyalists, Black Americans using the Underground Railroad to escape slavery, the Irish fleeing the Great Potato Famine of 1847, the Chinese seeking work, and the Jewish people escaping pogroms and political problems in eastern Europe. Other more recent waves of immigration have followed.

However, many groups of immigrant origin were victims of classic racism, 'nativism',<sup>3</sup> and open, systemic discrimination until the 1960s. Black and Aboriginal peoples could be legally enslaved between 1709 and 1834, an episode of history that was long hidden by historians.<sup>4</sup> Canadian immigration policy was openly discriminatory until 1967, as its entry criteria effectively excluded or restricted the migration of many individuals of what we now call 'visible minority' groups. The policy specified that British and American immigrants were to be sought first, followed by northern Europeans. Southern Europeans were only somewhat tolerated and citizens from other continents, entirely undesirable. This institutionalized hierarchy of ethnic preferences led to the exclusion of non-Whites, to selective recruitment measures, and to quotas on applicants from Asia and the Indian sub-continent from the early twentieth century until the 1950s.

In 1967, the federal government abrogated all preferential and discriminatory provisions based on race, religion, culture, language, and national origin and replaced them with 'objective' selection criteria (e.g., education, occupational qualifications), which were to be applied to all prospective newcomers. The face of Quebec and the rest of Canada would quickly diversify as a result.<sup>5</sup> The number of immigrants of European origin decreased, whereas those from the 'Third World' increased. At the time of the 2006

census, 11.5 per cent of the population of Quebec was of immigrant origin (foreign-born) and 8.8 per cent belonged to 'visible minorities'.<sup>6</sup> The Montreal region was the place of elected residence for 89.6 per cent of Quebecers of immigrant origin and 90.2 per cent of those from visible minority groups. In Montreal, immigrant denizens made up 20.6 per cent of the population and 16.5 per cent were in the visible minority, a group that had grown by 28.8 per cent since 2001.<sup>7</sup> Of all the visible minority groups, 60 per cent were immigrants. Black Quebecers represented the largest visible minority in the province (189,000, or 2.5 per cent of the population): most lived in Montreal and 4 out of 10 were born in Canada. Most Quebec citizens of Arab and Latin American origin (numbering 109,000 and 89,500 respectively) also lived in Montreal and registered the fastest growth of any communities, with their numbers soaring by 48.6 per cent and 50.4 per cent between 2001 and 2006.<sup>8</sup>

## NORMATIVE DISCOURSE AND SOCIAL REALITIES

Following the Second World War, immigration and the development of human rights at an international level forced democratic countries to adopt legislation and other measures to combat discrimination and inequalities. In the same spirit, since the 1970s, Quebec has been developing an inclusive 'official' normative discourse on diversity, and implementing a series of measures to defend the rights and facilitate the integration of newcomers to the province.<sup>9</sup> Despite this systemic and inclusive adaptation to diversity, a significant gap remains between normative discourse and the reality of inter-group relations and mutual representations. Three factors partly explain this gap: the shifts that have taken place in contemporary racism, the paradoxical situation of racism in Quebec, and the dual majority/minority status of francophone Quebecers.

### *Racism: Shifts, Mechanisms, and Processes*

Today, racism is a paradoxical reality. While 'classic racism', based on biological materialism (peoples'

physical attributes), has been discredited, there has been a resurgence in racism since the 1980s, notably in societies where anti-racist movements have progressively weakened<sup>10</sup> (as was the case with the labour movement in Europe). While these social and political struggles ran out of steam, a retreat into identity and the rise of populist figures took place. These elements came to typify a global shift in racism.<sup>11</sup>

But shifts in racism have also been attributable to its illegality and its illegitimacy in this era of human rights. Since the Second World War, systematized racism in the form of ideas, theories, and doctrines, based on the presumption that 'races' were unequal, has been replaced by a more implicit neo-racism of human rights, recentred around the dual theme of identity and difference, and founded on ostensibly more legitimate differentiation criteria.<sup>12</sup> Neo-racism's ideological terms changed (*culture* replaced *race*) along with its manifestations and discursive modes, which were implicit, indirect, and symbolic. The targets of neo-racism (those in the minority) were no longer constructed as biologically inferior, but as 'unassimilable', irreducible, or natural carriers of pathological differences, much as the presumed 'races' of yesteryear were.

Neo-racism continues to combine two processes: the differentiation and the 'inferiorization' of the Other, with difference (e.g., mores and beliefs) being constructed as a marker of social inferiority.<sup>13</sup> These indissociable processes, combined with socio-historical realities, have allowed racism to adapt to modernity.<sup>14</sup> Today, the process of domination-differentiation-inferiorization is no longer used to justify colonization<sup>15</sup> or the economic exploitation of immigrant workers, but serves instead to establish the inferiority of certain cultural practices as 'medieval' or 'barbaric' in order to preserve 'historically acquired rights', democratic values, or national unity. It is founded on the presumption that peoples or 'nations' exist rather than on the presumption that 'races' exist. Its manifestations in popular discourses clearly illustrate these shifts. The processes of neo-racism often appear to be natural reactions, coming from citizens who are 'legitimately' defending themselves against the 'imposition' by minorities from 'unassimilable' cultures that would erode



'historically acquired rights,' the order of things, a national identity, or the presumed unity of a people.

Contemporary neo-racism presents itself as being egalitarian, democratic, and respectable. It condemns flagrant forms of racism, deemed to be socially unacceptable from a human rights perspective, finding its justifications in irreproachable arguments, drawn from universalist and liberal concepts.<sup>16</sup> Therefore, neo-racism is not simply a reaction to migrations and demographic changes, but much more a result of cultural shifts and of global issues. In an age of mass media and new communications technologies, neo-racism is appearing as a by-product of the mediatization of power relations between groups in a context of globalization (neo-colonialism), and therefore of North–South relations and the prejudices and inequalities that these relations generate. Neo-racism tends to spread in symbolic and imagination-based modes, divorced from any real contact with members of different groups. Thus, neo-racism cannot be eliminated using institutional correctives alone. The subjective elements of constructing the Other will always escape state control, but contribute just as much to making racism a 'social fact,' acting upon inter-group relations in many forms (e.g., prejudices, discrimination) and drawing upon many sources (e.g., economic and historical differences).

While the manifestations and victims of racism have changed over the course of history, its structure, function, and *mechanisms* have stayed the same. Racism remains a process: the construction of irreducible differences prompted by power relations and serving to justify inferiorizing the Other to legitimate domination.<sup>17</sup> The underlying justifications are often emotional—based on feelings that privileges, prestige, property, security, or identity are being threatened. These feelings lead to the desire to destroy, inferiorize, or exclude the threat in order to defend a real or potential personal 'entitlement'. Differentiation and inferiorization operate based on sociocognitive mechanisms,<sup>18</sup> which we have defined and systematized in our discourse analyses as:

- *negative dichotomization* (Us–Them);
- *inferiorization* of the Other;
- *generalization* about an entire group;

- *self-victimization*;
- *catastrophism*;
- *demonization* of the Other;
- the *desire to expel* the Other ('Go back to where you came from'); and
- *political legitimization* (one of the upper echelons of neo-racism).<sup>19</sup>

These discursive mechanisms may be understood as echelons of racism, which are often linked to one another.

The effects of discrimination on society and its manifestations in society are many and may be fraught with ambiguity. For example, spatial segregation, which may be a strategy of social mobility among some groups, may not always be attributed to discrimination, but may result from it. Likewise, 'ethnic businesses', school failure, or socio-economic disparities may fuel racism or veer towards its production without being clearly attributable to it. Affirmative action programs or the obligation to make reasonable accommodation for various groups may correct the effects of discrimination or feed the ills that they are claiming to combat. Racism (or neo-racism) may be an instrumental cause or effect in many social phenomena. Its visibility and intensity fluctuate according to economic times, political events, everyday relationships, social sectors of life, and public debates.

### *A Paradoxical Situation in Quebec*

The changes that have taken place in Quebec make it difficult to paint a clear picture of the state of racism in the province.<sup>20</sup> Overall, the situation is paradoxical. Viewed from one perspective, there is no racist political party in Quebec and racist violence is relatively rare. The extremist or neo-Nazi groups who kept police busy between 1989 and 1996 have almost all disappeared, as have most of the anti-racist groups that fought against them. Racism and xenophobia are less present in Quebec's public debates than they are in Europe, where extreme-right-wing parties are part of the political scene. Human rights jurisprudence has developed exponentially, but cases of violations cited by the Commission des droits de la personne et des droits de la jeunesse (CDPDJ) are relatively rare and few appear before the courts. Similarly,



only rarely are major racist incidents the subject of public inquiries (as was the case in Montréal-Nord in 2008).<sup>21</sup> The number of Quebecers who openly call themselves racists has decreased and, in the aggregate, data on social mobility among some Quebecers of immigrant origin has been relatively positive.<sup>22</sup>

But viewed from another perspective, the situation has revealed itself as more complex. Public opinion polls or complaints filed with the CDPDJ do not paint an accurate picture of what racism and discrimination entail. Mutual representations between groups and everyday relationships in different sectors of society are difficult to measure. From the 1970s until the debate around 'reasonable accommodation' (2006–8), polls indicated that the public's attitudes towards immigration and diversity were increasingly favourable, but public behaviour did not reflect this trend. Hate-mongering websites were proliferating, cultural conflicts within institutions flared, racist conduct was taking place in the job and housing markets and in schools, and inequalities persisted for some minorities at the same time these opinion polls were conducted. And no indicators seemed to allow us to predict the inter-group perceptions and racializing discursive 'slips' in recent public debates about religion, territory, culture, and political opinions, which have morphed into 'social crises'.<sup>23</sup>

As in other egalitarian societies, the paradox in Quebec lies in the conflict between a system of democratic values and a system of complex interrelating historical oppressions and expressions of racism (in forms that are analytically interrelated but empirically scattered). This conflictual coexistence of systems affects some groups (e.g., Jewish, Black, Muslim, youth, women) differently than it does others.<sup>24</sup>

By and large, social practices in the media and in the housing and job markets have been escaping state control. In the job market, for example, unequal (often systemic) gaps between groups have usually been measured in terms of differential market access and integration experienced by foreign-born Quebecers, but also in terms of the differential distribution of status and of unequal opportunities between "White" and "non-White" Canadians. A segmentation and a double (ethnic and social) stratification of the job market have long been observed:<sup>25</sup> since 1971, census data has

shown a persistent trend towards an overrepresentation of visible minorities in both reduced- or high-qualification level jobs. This polarized job market profile reflects the bimodal nature of immigration in Canada (the effect of selection policies) and the dual bilingual job market (posing problems for those who are not linguistically qualified) in Quebec, both of which are difficult to separate from the phenomenon of racial discrimination.

Statistical analyses show enduring disparities between groups, which have been apparent in income gaps between foreign-born and native-born Canadians for two decades, in the declining economic well-being of newcomers, and in increased inequalities for some visible minorities.<sup>26</sup> The *Ethnic Diversity Survey* (EDS) conducted in 2002 by Statistics Canada revealed that incomes among visible minorities (notably Black Canadians) were substantially lower and their poverty levels higher than those among Canadians of "White" European ancestry. Employment rates and incomes among visible minorities have tended to increase with the duration of their residency in Canada, but gaps in relation to other Canadians have widened over time.<sup>27</sup> People from visible minorities were better educated on average than the population as a whole, but given the same level of education, had higher rates of unemployment and lower rates of representation in senior positions and in the public service. The quantitative studies in Quebec that have set forth a hypothesis of discrimination have, by adopting a residual approach, observed 'unexplained gaps' in income, unemployment, and employment among Black Quebecers.<sup>28</sup>

Similarly, second-generation Quebec youth from visible minorities have difficulties getting and keeping jobs—difficulties that are not attributable to insufficient academic qualifications or occupational skills. Since these youth were not foreign-born, they were fluent in French and familiar with job market practices, and their credentials were recognized.<sup>29</sup> Objectively speaking, their employment profiles were similar to or better than those of other young Quebecers: on average, their academic records, graduation rates, and levels of bilingualism or trilingualism were equal or superior to those of young Quebecers as a whole.<sup>30</sup> Nevertheless, their unemployment rates





were markedly higher and they found they had to contend with prejudices from prospective employers.

### *Racism and Dual Majority/Minority Status among Francophones*

Racism has also been the product of the historical Quebec–Canada relations surrounding the recent transition of francophones in Quebec from a minority status (French Canadians) to a majority status (Quebecers or Québécois). The age-old rivalry between francophones and anglophones in Canada has regulated relations between ethnic groups, still defined and stratified within a ‘vertical mosaic’.<sup>31</sup> Power relations and competition between the two ‘founding peoples’, tinged with neo-racism,<sup>32</sup> have had some notable repercussions on the way that both majorities have addressed immigration and Aboriginal issues.

We may recall that in 1960s Quebec, when ethnic and class boundaries separated francophones and anglophones, some French Canadians took a dim view of immigrants, who tended to integrate into the anglophone community in hopes of boosting their social mobility. At that time, anglophones controlled the economy and job market in Montreal, lived in the best neighbourhoods, and enjoyed a level of prestige unequalled in the rest of Canada. They also had well-developed and attractive institutions for integrating immigrants into their community.<sup>33</sup> French Canadians, who defined themselves as a dominated and exploited ‘minority’, therefore perceived immigration as a threat that the government of Quebec was not controlling. For these reasons, with a view to planning its own development, Quebec decided to involve itself in the process of selecting and integrating immigrants *into the francophone majority*. Immigration thereby became a major political issue and was perceived as a means of countering the demographic and linguistic decline of francophones in North America.

From that point forward, the sociological transition of francophones to the status of a ‘majority people’ oriented a civic, intercultural, and inclusive dominant normative discourse vis-à-vis the integration of immigrants *into the majority population*.<sup>34</sup> With this change of status and with the Parti Québécois taking office in

1976, normative discourse progressively dissociated itself from its former militant, anti-colonial rhetoric. Critical perspectives on relations of oppression and power essentially disappeared from social discourse by the end of the 1980s, in the wake of rising neo-liberalism. The focus shifted from denouncing the ‘oppressive relationships’ suffered by minority groups (including francophones of French-Canadian origin, who felt historically victimized) to integrating minorities into the new francophone-majority society. The discourse of national liberation as a minority people made way for a discourse of national assertion as a majority.

From the 1980s until 2006, the subject of racism in Quebec would fade from normative discourse, appearing as a marginal matter in official government policies, one that a more voluntarist integration policy would surely resolve. Successive governments would become increasingly reticent and guarded about taking action when accusations of racism were periodically directed at Quebec by the rest of Canada. In fact, for a long time, in the various halls of government, recognizing the existence of racism through public policy seemed tantamount to admitting that the Quebec model of integration had failed.

In a social and political context that had profoundly changed over the course of the 1990s, racism took on new forms in public debates. Owing to the successive failures that had marked the constitutional debate for 30 years, and to the many racializing discursive ‘slips’ in Quebec–Canada relations since 1995,<sup>35</sup> Quebec nationalism was no longer driven by the same social aspirations or the project of modernization that began in the Quiet Revolution. The spectre of ‘referendum repeats’ and the fear that integrating immigrants or meeting their demands for accommodation would cause the francophone Quebecers to disappear as a people seemed to foster a return to conservative nationalism.<sup>36</sup> At the same time, the referenda and constitutional failures that periodically exacerbated tensions between Canada’s two majority groups had consequences for ethnic minorities in Quebec, who often found themselves stuck in the middle of debates and conflicts between the two ‘founding peoples’, much as Canada’s Aboriginal peoples had been. Gone unchecked, this ‘sandwiching’ of Others sometimes made them easy targets for venting or scapegoating.<sup>37</sup>

This tendency surfaced near the end of the 1980s in the xenophobic overtones of the documentary film *Disparaître*. Similarly, when the ‘No’ side narrowly won the 1995 referendum, Quebec Premier Jacques Parizeau publicly declared that ‘some ethnic votes’ had helped vote down the sovereignty option.

The ‘reasonable accommodation’ debate (2006–8) would further illustrate how Quebec–Canada power relations negatively influenced the treatment of ethnic minorities.

### *The ‘Reasonable Accommodation’ Debate*

The gap between ‘official’ normative discourse and other social discourses was palpable in the debate around reasonable accommodation, which lasted over two years in the Quebec media. This ‘crisis’ highlighted the state of ethnic relations, mutual inter-group perceptions, and specific sensitivities related to

the still-recent transition of francophones to a majority status in Quebec. It brought to the fore the perception gap between Montreal Quebecers and those in other regions, along with the dearth of knowledge among some of the public about the realities of immigration and the measures and infrastructure devoted to integration and human rights. It also opened a forum for populist and racist discourses, which were often used unconsciously in public and journalistic opinion.<sup>38</sup>

The debate began to crystallize in the media in March 2006,<sup>39</sup> and morphed into a ‘crisis’ by January 2007. In a context of media one-upmanship and proliferating racializing discourses, on 8 February 2007, as a matter of apparent urgency and at the beginning of his election campaign, Premier Jean Charest struck the Consultation Commission on Accommodation Practices Related to Cultural Differences (also known as the Bouchard-Taylor Commission). Many Quebecers said they had the impression that they had been transported back in time ‘to Quebec pre-1977,

## **JUANITA WESTMORELAND-TRAORÉ: BLAZING A TRAIL FOR HUMAN RIGHTS**

*Juanita Westmoreland-Traoré, Officer of the Ordre national du Québec*



Source: CP PHOTO/  
Windsor Star-Scott Webster

In Quebec, Juanita Westmoreland-Traoré is known mainly as the province’s first judge of African-Canadian descent. In the rest of Canada, she is known for being the first—and, to date, the only—Black dean of a Canadian law faculty. But these achievements are only a small part of her career path and social activism, which have been guided by a deep

devotion to defending the rights and dignity of her fellow citizens.

Quebec-based lawyer Juanita Westmoreland-Traoré was born in Verdun (on the Island of Montreal), a second-generation Quebecer whose English-speaking parents originated from Guyana, South America. As a teenager, young Juanita was steeped in the excitement of the anti-discrimination and civil rights movements of the 1950s, working as the secretary of her high school’s Negro Citizenship Association. These were the awe-inspiring days of America’s Black civil rights movements. Hopeful Black students were risking their lives to enrol in White schools and universities. Martin Luther King and his Southern Christian Leadership Conference were taking unprecedented stands to demand civil rights, like the year-long bus boycott in 1955, after Rosa Parks was arrested for refusing to give up her bus seat to a White person. These courageous movements made a lasting impression on the girl from Verdun. She was particularly





influenced by Thurgood Marshall, lead counsel for the National Association for the Advancement of Colored People, who in 1967 became the first Black person to be appointed as a US Supreme Court judge. Westmoreland-Traoré resolved to follow in Marshall's footsteps, aspiring to use the law as a tool for social action in the cause of underprivileged and defenceless people. After earning a law degree at Université de Montréal and a Doctorate of State in Public Law at Université de Paris II, she was called to the Quebec Bar in 1969, specializing in immigration and citizenship, human rights, and family law.

Within the first months of her career as a newly minted lawyer, Maître Westmoreland-Traoré's skills were put to the test. It was 1969 and she was one of two Black lawyers practising in Quebec (the other was her uncle). Some Concordia University students had been charged with illegally occupying and ransacking the university computer centre. They had occupied the premises to protest against the trivializing approach that Concordia University administration had taken regarding some allegations of racism. As part of a team of defence attorneys, Westmoreland-Traoré helped have these students acquitted of 11 of the 12 charges filed against them in what would become a landmark case.

Not surprisingly, the determined lawyer's pursuits quickly diversified. In addition to her private practice, she was an assistant professor at the Université de Montréal's Faculty of Law and then a half-time professor in the Department of Legal Science at Université du Québec à Montréal. It was around this time that she became a member of the Office de protection des consommateurs du Québec and served as a Commissioner on the Canadian Human Rights Commission.

Westmoreland-Traoré also found time to write several significant articles in the *Revue du Barreau* and for the Presses de l'Université de Montréal. She collaborated on the *Rapport sur les attentes de la Communauté noire relatives au système d'éducation publique* for the Conseil supérieur de l'Éducation du Québec and worked with the implementation committee for the *Plan d'action en faveur des communautés culturelles*. In 1985, Westmoreland-Traoré played a major role in establishing the Conseil des communautés culturelles

et de l'immigration, which she chaired for five years. During her term of office at the Conseil, she was active in the development of the 1986 *Declaration on by the Government of Quebec on Ethnic and Race Relations*, which committed the government of Quebec to recognize and promote the right to non-discrimination for minorities in fulfillment of its responsibilities under international conventions.

In the 1990s, her career rose to new heights within Canada and abroad as she became the Ontario Employment Equity Commissioner for five years and subsequently worked in Haiti as an advisor to United Nations' Truth and Justice Committee. Becoming Dean of the University of Windsor's Faculty of Law, and Quebec Court judge, in the Criminal and Penal Division and the Youth Division, she also marked two more firsts for African-Canadians in Quebec.

As a judge, the Honourable Justice Westmoreland-Traoré has made noteworthy rulings, which have set pioneering precedents in the area of discrimination. For instance, in a 2005 ruling, she acquitted a young Black man charged with drug possession for the purposes of trafficking on the grounds that the city of Montreal's police department had used an illegal method of racial profiling. Before this case, no Quebec tribunal had ruled in this way on this kind of case.

The list of honours bestowed upon Westmoreland-Traoré is long and substantial. She has been appointed as an officer of the Ordre national du Québec and received honorary doctoral degrees from both the University of Ottawa and Université du Québec à Montréal. She holds a medal from Université de Montréal for her extraordinary contribution to human rights; the Alan Rose Award for human rights; the Jackie Robinson Achievement Award, conferred on Black individuals who are models of success and contribute to their community; the Canadian Bar Association's Touchstone Award, for her outstanding contribution to the promotion of equality in Canada's legal community; the Mérite Christine-Tourigny, awarded by the Quebec Bar for her social involvement and contribution to the advancement of women in the legal profession; and the Droits et Libertés award from Quebec's Commission des droits de la personne



et des droits de la jeunesse, for her unflagging commitment to the fight against discrimination, on the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights.

Behind all of these honours lies the public's appreciation for Juanita Westmoreland-Traoré's resolute devotion to fighting discrimination on many fronts, from community to institutional settings. At the community level, she has served as legal counsel to the Congress of Black Women of Canada, the Black Community Centre and the Association québécoise des organismes de Coopération internationale. She has travelled to observe trials and elections for the international missions organized by Ligue des droits et libertés, Centre d'information et de documentation sur l'Afrique australe, and the South Africa Education Fund. She has worked with Centraide of Greater Montreal, sat on the Canadian Civil Liberties Association Board of Directors, served on the Canadian Human Rights Foundation executive, acted as a panellist with the Canadian Council on Social Development Court Challenges Program, presided over the Montreal Regional Committee of the National Congress of Black Women, been a member of the Consultative Committee on Education of the National Judicial Institute and of the Board of Directors of the Canadian Institute for the Administration of Justice,

and chaired the Canadian Association of Provincial Court Judges' Equality and Diversity Committee.

Throughout her long career, Juanita Westmoreland-Traoré was often struck by the dearth of resources for judges in cases that involved diversity and equality. With this in mind, during her tenure on the Board of Directors of the Canadian Chapter of the International Association of Women Judges, she co-coordinated the publication of a judicial guide to these issues that encourages judges to carefully consider social context as a matter of course when interpreting the law—a practice that Westmoreland-Traoré holds to be crucial to the balanced evolution of Canada's jurisprudence. The guide contains dozens of articles on doctrine and jurisprudence. It addresses grounds for discrimination, such as race, age, disability, and impoverishment (drawn from human rights legislation) as factors that intersect within a social context to produce social inequality between citizens of the same country.

Juanita Westmoreland-Traoré has used her renown and resources to raise awareness about the unstable living conditions faced by poor and vulnerable citizens (especially women and children) in Quebec, Canada, and abroad. Having seen the ravages of poverty, war, genocide, and crimes against humanity, she has worked ardently to make her voice heard in some of the world's most respected organizations.

when the French Canadian nation saw itself as being homogeneous and experienced its relationship to the Other in terms of an identity-based threat'.<sup>40</sup>

In this debate, the juridical-political apparatus and normative discourse were called into question and virulently criticized by a host of citizens and journalists. Quebec's Charter of Human Rights and Freedoms, Canada's Charter of Rights and Freedoms, and the obligation of making reasonable accommodation were presented as unidirectional legal instruments in human rights jurisprudence that forced public institutions to always accept requests for accommodation from minority groups, and even to grant them privileges. Journalists set about scrutinizing public policies on immigration and integration and their application, looking for a fight. During the debate, media confusion

over the concept of reasonable accommodation, its objectives, limitations, and application led some citizens and municipal politicians to request that governments change the Charters, or even abolish them, in response to this 'state of emergency'<sup>41</sup> and to the 'injustice' done to Quebec's majority group.

The role of the media was central in turning this debate into a social crisis, through its strategies and selective coverage of social discourses.<sup>42</sup> Some of the media's processes, framing, and staging around 'reasonable accommodations' allowed it to set the political agenda and generate a state of 'Moral Panic'.<sup>43</sup> Some journalists contributed to fuelling the pervasive confusion by conflating 'reasonable accommodation' (which is an obligation and a remedial measure used to address a discriminatory situation) with voluntary adjustments

or private agreements, which did not result from the violation of a fundamental freedom. Indeed, over 75 per cent of the 'incidents' reported by journalists regarding 'reasonable accommodations' between March 2006 and April 2007 were private agreements or anecdotal current events that they blew out of all proportion.

Some newspapers went out of their way to break one news story after another, thereby elevating a collection of anecdotal events to the rank of a 'social crisis'. Using a sweeping array of public opinion polls about 'racism among Quebecers', daily spot polls and 'exclusive news investigations', these newspapers began constructing issues, 'storytelling', and 'agenda setting'<sup>44</sup> for public debate, forcing politicians and citizens alike to take a stand on a number of questions. Their over-the-top magnification of events had a huge influence on the public and the political agenda during this period.

The way journalists framed their stories (their 'angle') and the importance they attributed to some points of view allowed them to influence the public's understanding of the issues. Two ways of framing stories were unmistakably used by the media: a legal-judicial frame and a dramatic-conflictual frame. The legal-judicial frame, which was the starting point for most 'breaking' news stories, misled the public or, at the very least, fed public confusion by erroneously associating private agreements with reasonable accommodations. Requests for accommodation were often presented from the angle of 'privileges' or 'abuses'<sup>45</sup> rather than presenting a citizen's right to equality or to negotiated agreements. The dramatic-conflictual frame was used in polarized interpretations of events and in the race for fresh content, be it real or imagined. The angle of polarization between minority and majority groups intimated that some minorities enjoyed privileges and threatened common values, thereby engaging readers of the majority group in a victimizing reading of events.

### *Media Coverage: Factual Treatment and Opinion Discourses*

Our analysis of the factual media coverage of events revealed that the media contributed to exacerbating popular prejudices towards certain minorities by covering events in the following ways:

- Publishing images of the minority members of religious minority groups—Muslim women wearing nikabs or burkas; Ultra-Orthodox Jews (Hasidim)
- Running headlines and leads that featured populist quotes from the Action démocratique du Québec (ADQ) party (a populist right-wing party)
- Conducting daily spot polls, often from a victimizing point of view—'Are you fed up with . . . ?'
- Mainly quoting people who viewed themselves as victims
- Participating in herd behaviour (in print, television, radio, and Web), in which media responded to each other
- Producing copious amounts of 'exclusives' and 'breaking news' in competition with other newspapers, upping the ante in front-page headline news and media hype
- Passing off hypothetical, fictitious events<sup>46</sup> as examples of social deviancy, anti-social behaviour, or non-conformity to majority-group norms, thereby building momentum for what is called a 'deviancy amplification spiral' in Moral Panic theory
- Providing disproportionately extensive coverage of a small-scale phenomenon (there were only a handful of bona fide cases of reasonable accommodations at the time)
- Staging the defining issue of the election campaign

Indeed, the debate was used as a 'hot-button' issue and a decorative prop in staging the 2007 February–March provincial election campaign. Constantly solicited to comment on 'breaking news,' obliging politicians helped to artificially prolong the media-driven debate. Politicians hazarded opinions without investigating the veracity of the facts related by journalists or distinguishing anecdotal information from real cases of accommodation. 'Breaking news' could therefore be used as a kind of litmus test to judge the competency of public figures.

At this time, numerous journalists attributed the rise in popularity of ADQ to the populist positions taken in the debate by its leader, Mario Dumont. Claiming to speak on behalf of the majority, daring to 'say out loud what everyone is thinking,' Dumont politically legitimated populist discourse by constantly accusing his political adversaries of being



'lax' on the issue of reasonable accommodation, by favouring a 'hard-line' approach, and by making striking declarations such as 'We cannot defend our identity with one knee [already] on the ground'.<sup>47</sup> This type of legitimization became commonplace and even banal in the media, whereas one year earlier, the issue would not have found a public tribune. Letters to the editor made ample use of Dumont's populist expressions—'wear the pants', 'one knee [already] on the ground', and 'bending to the demands of minorities'—which were reprised in scores of articles on current events.

Our analysis of opinion discourses—based on a corpus of 654 editorials, columns, and letters to the editor from intellectuals and readers published in Quebec's five major newspapers—revealed that populist and (neo-)racist discursive mechanisms were explicitly and implicitly present in half of the texts. Any of the eight discursive mechanisms specified in our analytical grid could be found in 14 per cent of the editorials/columns and 52 per cent of letters from readers.<sup>48</sup> Some opinion discourses combined a range of discursive mechanisms from our grid:

1. Us–Them *negative dichotomization* ('They come to our country to impose their ways on us')
2. *Generalization* about all immigrants or all members of a minority ('They're not integrating into society'; 'They're all fundamentalists')
3. *Inferiorization* of the Other ('They're still living in the Middle Ages')
4. *Self-victimization* ('one knee [already] on the ground'; loss of power and identity; 'They come along and impose their customs on us/get privileges')
5. *Catastrophism* (state of emergency; conspiracy theories; 'Things will only get worse')
6. *Demonization* (invasion; the Other being 'unassimilable' to democratic values; 'They are strange, unpredictable, and worrisome')
7. Justification for the *desire to expel* the Other ('Go back where you came from')
8. Appeals for *political legitimization* (through elected ADQ politicians or municipal representatives, like those in Hérouxville, who proposed that a 'code of conduct' for immigrants be adopted)

The momentum of these discursive mechanisms drove the issue into an upward spiral, from one echelon to the next between March 2006 and April 2007, as though their almost banal presence in the media had legitimated taking a harder line.

Among the opinion discourses of newspaper editors, columnists, and intellectuals, these mechanisms were most often found in articles about Hassidic Jews. Negative dichotomization tended to be used to contrast majority values (defined as those of Quebec's 'citizens' or 'society') with those of the Jewish Hassidic community, notably in the area of gender equality (which was posited as irreducible and non-negotiable) to demonstrate that the community had not adapted to a 'modern' way of life. Derision was frequently used by these journalists and intellectuals, along with absurd humour and extreme examples, to denounce the potential escalation of 'hare-brained' requests and to weigh up the 'limits' that had been breached. Many associated making 'reasonable accommodations' with 'fundamentalism', contrasting the progression of religious fundamentalisms in the public sphere with the 'laxity' of Quebecers regarding requests made by minorities. For some, this contrast implicitly expressed victimhood or catastrophism.

More readers than journalists wrote about feeling their values and cultural points of reference were being threatened and that they, as members of the majority, had been wronged by minorities, who would 'abuse' the 'laxity' of 'Quebecers', or by judges, politicians, or institutions that would 'unduly' grant 'privileges' to the minorities, whom these readers perceived to be 'fundamentalist'. We observed a sense of distance and powerlessness in relation to the political and juridical authorities that were purportedly making disembodied decisions contrary to 'popular will'. The federal and provincial Charters and the power of judges were sharply criticized in two contradictory tendencies of popular discourse: the Charters seemed to be allowing what they forbade by granting rights to people whose collective religious beliefs ran contrary to individual rights and the choices of the 'majority'. Many blamed judges, the Supreme Court, or the Charters for this situation and questioned their ability to serve the population. Whereas some argued in favour of amending the Charters, others questioned



the soundness of their principles and their adequacy for dealing with present-day realities.

Dominant representations of the Other in this racializing discourse saw a major Us–Them dichotomization. Among readers, ‘Them’ generally referred to recent immigrants and foreigners, often amalgamated as Sikh–Muslims and even Islamicist–fundamentalists. A number of opinion discourses about religious minorities also depicted ‘Them’ as ‘fundamentalists’, and singled them out as causing various kinds of social unrest around identity, in a context of destabilizing international events. The rigidity of the ‘precepts’ in these communities was often contrasted with the hard-fought ‘rights and freedoms’ historically acquired by native-born civil society and social movements. Some made the distinction between ‘good immigrants’ who ‘wanted’ to integrate into society (by becoming ‘just like Us’) and ‘bad immigrants’ (who demanded accommodation, and were therefore seen to be refusing Quebec’s ‘common

values’). Those who wished to continue to live ‘as they did in their own country’ were not part of ‘Us’.

There was also a perception that the Charters had violated the rights of some (the majority) to create privileges for others (the minority), rather than protecting rights (equality) as the central value of Quebec’s collective identity. In some discourses, we observed an inversion of the Charters’ values for the purposes of ‘delegitimizing’ and inferiorizing the ‘Other’. The refusal to accept divergence and the demand for ‘loyalism’ (or for a presumably consensual social conformity) therefore displaced respect for rights and freedoms. The equality of individuals was replaced by the conviction that favouritism was being shown to certain groups and an injustice done to other citizens; the ‘inclusive Us’ became a drive for homogeneity. Racializing discursive mechanisms were based on the conviction that they represented the ‘universal’ and on a stereotypical and even mythical representation of those who stood accused of opposing it.

## SNAPSHOT

### A Policy to Fight Racism in Quebec

Until recently, the issues of racism and discrimination were practically absent from ‘official’ normative discourse in Quebec. The government’s *Policy Statement on Immigration and Integration* in 1990 and its *Policy on Educational Integration and Intercultural Education* in 1998 devoted only a few lines to racism and framed the issue as a potential individual transgression rather than a systemic phenomenon. Portions of Quebec’s anti-poverty legislation (Bill 112) and its *National Strategy to Combat Poverty and Social Exclusion*, targeted ‘immigrants’ and ‘visible minorities’ as ‘vulnerable groups’, but did not discuss the sociological mechanisms that interlink racism, discrimination, social inequalities, and exclusion. There has been a reticence or guarded attitude in Quebec toward dealing directly with racism, naming it, and introducing it into public policies as an issue to combat. There has also been a fragmentation of provincial initiatives, instead of a systemic, coherently applied approach,

based on the effectiveness of human rights regarding equity, equality, diversity, and anti-poverty issues.<sup>49</sup>

Institutional responses regarding these issues have remained ambivalent and often circumstantial or sporadic. Generally speaking, racism elicits a reaction from Quebec’s public authorities when it leads to excessive racializing discursive ‘slips’ (as occurred in public debates around reasonable accommodation) or to violence, but it is often treated as a marginal, individual loss of control, as though it was not an issue that plays out every day as the cause or effect of social inequalities. Consequently, the struggle against racism and discrimination has been left to the field of law and to the legal apparatus, but has not become part of public discourse or of a coherent overall policy to more comprehensively address the mechanisms that perpetuate discriminations and unequal power relations.

During the summer of 2006, the Quebec government struck a parliamentary commission to



address racism and discrimination. The commission launched public consultations based on a document entitled *Towards a government policy to fight against racism and discrimination*, the provincial follow-up document to the federal government's 2005 *Canada's Action Plan Against Racism* (itself much awaited and called for by numerous groups and observers after the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa in 2001). Nevertheless, because of the media crisis and the populist political 'slips' on 'reasonable accommodation', which shook Quebec from 2006 until 2008, it was not until after the Consultation Commission on Accommodation Practices Related to Cultural Differences (also known as the Bouchard-Taylor Commission) that a government policy was adopted in this area. Indeed, in November of 2008, a few days before a provincial election was called, the Liberal government of Quebec launched *Diversity: An Added Value: Government policy to promote participation of all in Québec's development*. This policy was met with total indifference by the media and public opinion alike. It promoted equal opportunity and supported anti-racist and anti-discriminatory initiatives, which had been neglected in the 1990 *Policy Statement* and in government actions during the intervening years. The new policy proposed a comprehensive approach, covering education and awareness-raising, prevention, redress of injury to rights, mobilization of institutions and diversity management, victim support, and the suppression of racist violence. It was built around three main orientations:

Recognizing and combatting prejudices and discrimination by ensuring that all citizens are educated about their rights;

Renewing practices through real equality and the full participation of all citizens in Quebec's economic, social, and cultural development, by promoting access to and advancement in employment; and

Coordinating efforts to ensure coherence and complementarity in government programs.

The action plan, which includes 21 measures, collectively targets all provincial government bodies and ministries.

In order to implement some specific aspects of the action plan, Minister of Immigration Yolande James tabled Bill 16, *An Act to promote action by the Administration with respect to cultural diversity* on 22 September 2009, which quickly rekindled the controversy around 'reasonable accommodation'. The bill was meant to ensure that government bodies would establish and follow accountability directives and rules on 'diversity management' to set a good example by integrating Quebecers of all origins and providing high-quality services to an increasingly diversified clientele.

Some, such as the Conseil du statut de la femme, viewed this bill as an unlimited obligation imposed by the state to adapt to diversity. The Conseil pointedly remarked that the government had not placed any demands on new Quebecers to respond in kind by adapting to Quebec society. Others even viewed the bill as a setback or a reversal of the 'moral contract' between minority and majority groups, as described in the 1990 *Policy Statement*. The Conseil du statut de la femme proposed a number of amendments, asserting that the principles of secularism, gender equality, and the promotion of the French fact should guide the interpretation of this bill.

In the end, this initiative was shelved indefinitely and did not follow the usual path of bills in the National Assembly. With this bill, the explosive question of reasonable accommodation came back to haunt the Charest government, which was accused of placing religious freedom above gender equality. Still unsettled and unsettling, the actions proposed in this bill and the recommendations of the Bouchard-Taylor Commission have also been shelved.

The problem of 'racial profiling' that has affected relations between police and some racialized groups, a problem that requires a broader government response, has also not yet been addressed with concrete action. Indeed, following events in the summer of 2008 in Montréal Nord, when an altercation with police led to the shooting death of a Latino youth, and a spectacular





riot ensued in this underprivileged, stigmatized neighbourhood, still grappling with its criminal gang problems, the Commission des droits de la personne et des droits de la jeunesse (CDPDJ) held public consultations on racial profiling. It put out a call to hear from youth aged 14 to 25 originating from racialized communities, along with groups and individuals who might offer solutions to this problem. According to

the CDPDJ, it has received approximately 60 complaints regarding racial profiling from all over Quebec and has presented about 10 profiling cases before the Tribunal des droits de la personne. The report on the CDPDJ's consultations, slated for release in the fall of 2010, could pressure the government to accelerate the implementation of a new bill and a policy better designed to fight racism.

## CONCLUSION

This chapter has shown that there is a major gap between the development of Quebec's inclusive and pluralistic official discourse on one hand, and the persistence of exclusion and discrimination (in addition to public debates tinged with fears over identity and racializing discourses) on the other hand. We have also seen that because racism is constantly shifting, it is difficult to measure progress in ethnic relations.

The debate around 'reasonable accommodation' revealed that inclusive, egalitarian discourse does not seem to have entirely penetrated the fabric of Quebec society. On the contrary, this debate led to something of a backlash against 'official' normative discourse, leaving the floor wide open for racializing discourses whose mechanisms inverted the values entrenched in both federal and provincial Charters. Major 'Us–Them' boundaries and guarded conceptualizations about Quebec identity persist to this day in some sectors of public opinion and among certain politicians. The controversy was first engaged through one-upmanship in the media, then in the political arena with the ADQ leader's declarations and the racializing 'slips' from some elected municipal officials (e.g., Hérouxville's code of conduct), reaching a state of 'crisis'. Within a few weeks, the crisis had spiralled past several echelons of racism and affected social cohesion in Quebec.

This crisis was not just a sudden expression of exasperation and scapegoating that involved religious minorities. It was, and is, a *symptom* of the fragility of Quebec's identity as a national entity (as a people). This fragility has been caused by social and economic upheaval in a context of globalization, and draws upon the historical malaise created by competitive relations between Quebec and the rest of Canada over the allegiance of immigrants, in matters both linguistic and symbolic. Social malaise (linked to the fragility of the majority status of francophones) was manifested in discourses that were strongly opposed to the Charters, Canadian multiculturalism, and the 'power of judges'. They took the form of a series of insecurities in opinion discourses: fears of losing the recent gains of Quebec's modernity (e.g., gender equality, francization); fears regarding the majority's ability to conceptualize itself as a bigger, more inclusive 'Us' ('Nous') that could successfully integrate immigrants; fears of being called 'racist' by the rest of Canada<sup>50</sup> and the world; and, in sum, fears about the success or failure of the Quebec model of integration.

According to many front-line workers in education and social services, reasonable accommodation is generally well managed day-to-day in communities. The large gap between reality and perceptions in this debate shows us how valuable education in human rights, diversity, citizenship, critical media analysis, and the management of reasonable accommodation and conflicts can be.

## QUESTIONS FOR CONSIDERATION

1. What is contemporary neo-racism?
2. What kinds of neo-racist discursive mechanisms have we seen manifested in social discourses?
3. In what way did the dual majority/minority status of Quebec francophones permeate the debate around 'reasonable accommodation'?

## NOTES

1. *The Evolving Linguistic Portrait*, 2006 Census, Catalogue no. 97-555-XWE2006001; Ministère des Relations avec les citoyens et de l'Immigration, *Données sur la population recensée en 2001 portant sur la religion. Analyse sommaire*. Direction de la population et de la recherche, 27 May 2003.
2. Marc Angenot defines social discourse as 'the aggregate of all that is said and written in a state of society, to the extent that this aggregate does not appear to be composed of *random* statements, but of [statements] governed by conventions, held within ideological configurations.' Our translation of (*Glossaire pratique de la critique contemporaine*. La Salle: Hurtubise HMH, 1979: 63) M. Angenot, 'Théorie du discours social,' *COnTEXTES*, numéro 1, Discours en contexte (September 2006). <http://contextes.revues.org/document51.html>, accessed 15 August 2008.
3. 'Nativism' was an ideology that aimed to favour those born in Canada and exclude foreigners.
4. Marcel Trudel, *Deux siècles d'esclavage au Québec*. Montreal: Hurtubise HMH, 2004; Brett Rushforth, 'A Little Flesh We Offer You': The Origins of Indian Slavery in New France. *The William and Mary Quarterly*, Third Series 60, 4 (October 2003): 777–808.
5. Ethnic diversity is measured in three (self-declared) categories in the Canadian Census: foreign-born (immigrant), visible minority, and ethnic origins (ancestry). Second-generation Canadians are counted through a question about their parents' country of origin.
6. *Visible minority* is an official term in the Employment Equity Act (1986). It refers to 'persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour'. In the 2006 census, this category included persons of Chinese, South Asian, Black, Filipino, Latin American, Southeast Asian, Arab, West Asian, Korean, and Japanese origin.
7. The 2006 census showed that 851,600 people living in Quebec were foreign-born, an increase of 20.5 per cent compared with 2001. Statistics Canada, 2007, Immigration and Citizenship Highlight Tables, 2006 Census, Statistics Canada, Catalogue no. 97-557-XWE2006002. Ottawa. Released 4 December 2007. Statistics Canada. 2008. Topic-Based calculations. Ethnic Origin and Visible Minorities. Catalogue no. 97-562-XCB2006011.
8. Haiti was the place of birth for 52.5 per cent of Quebec's Black immigrants. Among Quebecers of Arab origin, 71.9 per cent were foreign-born, mainly in Morocco (26.4 per cent), Lebanon (22.1 per cent) and Algeria (20.1 per cent), and most (100,000) lived in Montreal. There were 75,400 Latin Americans in Quebec in 2006, representing 2.1 per cent of the population of Montreal.
9. Quebec's Charter of Human Rights and Freedoms (1975) and Charter of the French Language (1977), which established links between the integration of immigrants and the recognition of minorities and Quebec's common public language; the Commission des droits de la personne et des droits de la jeunesse, and the Tribunal des droits de la personne; the Affirmative Action Program; major developments in legislation and jurisprudence in this area and the adoption of official policies, including the recent policy to fight against racism and discrimination (2008) (see 'A Policy to Fight Racism in Quebec' in this chapter).
10. Michel Wieviorka, *L'espace du racisme* (Paris: Le Seuil, 1991).
11. Pierre-A. Taguieff, *La force du préjugé* (Paris: La Découverte, 1987); Martin Barker, *The New Racism* (London: Junction Books, 1981), and many others.
12. Étienne Balibar, 'Y-a-t-il un "néo-racisme"?' in E. Balibar and I. Wallerstein, *Race, Nation, Classe. Les identités ambiguës* (Paris, La Découverte, 1988); Pierre-André Taguieff, *Face au racisme 2. Analyses, hypothèses, perspectives* (Paris, La Découverte, 1991); Taguieff, *La force du préjugé*.
13. Colette Guillaumin, *L'idéologie raciste. Genèse et langage actuel* (Paris: Mouton, 1972).
14. Alain Touraine, 'Le racisme aujourd'hui' in M. Wieviorka, ed., *Racisme et modernité* (Paris: La Découverte, 1993).
15. John Rex and David Mason, eds., *Theories of Race and Ethnic Relations* (Cambridge: Cambridge University Press, 1986); Balibar and Wallerstein, *Race, Nation, Classe*.
16. In fact, democratic and universalist values, as entrenched in the charters of Canada and Quebec, were inverted for the purpose of inferiorizing the Other (perceived as being barbaric, particularistic, or communitaristic). Maryse Potvin, 'Les dérapages racistes à l'égard du Québec au Canada-anglais depuis 1995', *Politique et Sociétés* 18, 2 (1999): 101–32; Maryse Potvin, 'Some Racist "Slips" About Quebec in English Canada between 1995 and 1998', *Canadian Ethnic Studies* 32, 2 (2000): 1–26.

17. Albert Memmi, *Le racisme* (Paris: Gallimard, 1982, 1994).
18. These are sociocognitive (social and cognitive) mechanisms because they appeal simultaneously to people's personal reasoning abilities and draw upon the political, ideological, historic, social, economic, or cultural determinants that are specific to a given context.
19. See Potvin, 'Les dérapages racistes', 'Some Racist "Slips" About Quebec'; Maryse Potvin, *Crise des accommodements raisonnables. Une fiction médiatique?* (Montreal: Athéna Éditions, 2008); Maryse Potvin et al., *Les médias écrits et les accommodements raisonnables. L'invention d'un débat* (Montreal, January 2008), available at [www.accommodements.qc.ca/documentation/rapports/rapport-8-potvin-maryse.pdf](http://www.accommodements.qc.ca/documentation/rapports/rapport-8-potvin-maryse.pdf).
20. Marie McAndrew and Maryse Potvin, *Le racisme au Québec : éléments d'un diagnostic*, Collection Études et Recherches N°13, Ministère de l'Immigration et des Communautés Culturelles (Quebec: Éditeur officiel du Québec, 1996); Maryse Potvin, 'Racisme et discrimination au Québec : réflexion critique et prospective sur la recherche,' in Jean Renaud, Annick Germain, and Xavier Leloup, eds., *Racisme et discrimination : permanence et résurgence d'un phénomène inavouable*. (Quebec: Presses de l'Université Laval, 2004), 172–96.
21. A number of investigations were conducted in 1980–90. Most notably, the Commission des droits de la personne et des droits de la jeunesse has investigated racial discrimination experienced by Haitian nurses (1992–3) and by Black taxi drivers (1982–5), along with some blunders committed by police (Bellemare and Yarovski Reports, 1987 and 1992).
22. Jean Renaud et al, *Ils sont maintenant d'ici. Les dix premières années au Québec des immigrants admis en 1989*. Études, Recherche et Statistiques No. 4 (Quebec: Ministère des Relations avec les citoyens et de l'Immigration, 2000).
23. Racializing 'slips' occurred in dealings with Aboriginals during the 'Oka standoff' of 1990, between Quebecers and citizens in the rest of Canada after Quebec's referendum in 1995 (Potvin, 'Les dérapages racistes', 'Some Racist "Slips" About Quebec'; Maryse Potvin et al. 'Du racisme dans les rapports entre groupes nationaux au Canada et en Belgique?', *Revue canadienne des études ethniques* 36, 3 (2004): 25–60), and with religious minorities during the debate around 'reasonable accommodations' between 2006 and 2008 (Potvin, *Crise des accommodements raisonnables*).
24. Often, many forms of discrimination are present at the same time, their patterns intersect, and it is difficult for researchers or judges to pinpoint whether racism, sexism, or classic discrimination may be involved in some situations.
25. John Porter, *The Vertical Mosaic* (Toronto: Toronto University Press, 1965).
26. Statistics Canada, *The Deteriorating Economic Welfare of Immigrants and Possible Causes: Update 2005*. Research document by G. Picot and A. Sweetman, Analytical Studies Branch Papers Series, Catalogue no. 11F0019MIE, Issue no. 262. Business and Labour Market Analysis Division, Statistics Canada, and School of Policy Studies, Queen's University. Ottawa: Industry Canada, June 2005.
27. Jeffrey G. Reitz and Rupa Banerjee, 'Racial Inequality, Social Cohesion and Policy Issues in Canada,' in Institute for Research on Public Policy, *Belonging? Diversity, Recognition and Shared Citizenship in Canada* (Montreal: IRPP, 2007).
28. Renaud et al., *Racisme et discrimination*; Victor Piché, and Jean Renaud, 'Immigration et intégration économique : peut-on mesurer la discrimination?' in Roch Côté and Michel Venne, eds, *Annuaire du Québec 2003* (Montreal: Fidès, 2002), 146–51. In connection with the theory of human capital, investigations of this type provide clues about the existence of 'probable' discriminations, observed when discrepancies between groups cannot be explained based on differences in controlled variables (e.g., age, gender, education, professional credentials, language proficiency, qualifications). These studies take into account indicators such as income, unemployment, type of employment, and education to explain discrimination, which is presented as an 'unexplained discrepancy' between groups.
29. Monica Boyd, 'Variations in Socioeconomic Outcomes of Second Generation Young Adults,' *Canadian Diversity*, Thematic issue: *The Experiences of Second Generation Canadians* 6, 2 (Spring 2008): 20–4; Maryse Potvin, Nancy Venel, and Paul Eid, eds, *La 2e génération issue de l'immigration. Une comparaison France-Québec* (Montreal: Athéna Éditions, 2007); Marie McAndrew et al., *La réussite scolaire des jeunes des communautés noires au secondaire*. Research report (Montreal: Immigration et métropoles, 2005).
30. James L. Torczyner et al., *L'évolution de la communauté noire montréalaise : mutations et défis* (Montreal: Consortium de McGill pour l'ethnicité et la planification sociale stratégique, 2001).
31. Porter, *The Vertical Mosaic*.
32. Potvin, 'Les dérapages racistes', 'Some Racist "Slips" About Quebec'; Potvin et al., 'Racisme et discrimination au Québec'.
33. Marc V. Levine, ed., *The Reconquest of Montreal: Language Policy and Social Change in a Bilingual City* (Philadelphia: Temple University Press, 1990).
34. Maryse Potvin, 'Discours publics et discriminations au Québec', *Les Cahiers du 27 juin* 2, 2 (Hiver-Printemps 2005): 47–52; Maryse Potvin, 'Racisme et discours public commun au Québec', in Stéphan Gervais, Dimitrios Karmis, and Diane Lamoureux, eds, *Du tricoté serré au métissé serré ? La culture publique commune au Québec en débats* (Quebec: Les Presses de l'Université Laval, 2008), 227–48.
35. Potvin, 'Les dérapages racistes', 'Some Racist "Slips" About Quebec', and 'Racisme et discrimination au Québec'.

36. Notable articles include those by Mathieu Bock-Côté and by some young conservatives in the nationalist review *L'Action Nationale* since about 2005.
  37. Some of the racist 'slips' regarding the constitutional crisis are described in Potvin, 'Les dérapages racistes', 'Some Racist "Slips" About Quebec', and 'Racisme et discrimination au Québec'.
  38. Potvin, *Crise des accommodements*; Potvin et al., *Les médias écrits*.
  39. The debate had reappeared every so often since 1985, but generally concerned bona fide cases of reasonable accommodation (in the legal sense of the term). From 2006 onward, following the Supreme Court judgement that allowed a baptized Sikh student to wear a kirpan to a Quebec public school, media headlines were flooded with 'breaking news,' incorrectly categorized as cases of 'reasonable accommodation', thereby creating confusion and intolerance in public opinion (Potvin, *Crise des accommodements raisonnables*; Gérard Bouchard and Charles Taylor, *Building the Future A Time for Reconciliation Final Report* (Quebec: Government of Quebec, 2008), 15–17.
  40. The reference to 1977 pertains to the year that the Charter of the French Language (Bill 101) was implemented. Marie McAndrew, 'Pour un débat inclusif sur l'accommodement raisonnable', *Revue Éthique publique* (2007).
  41. In January of 2007, the municipal council of Hérouxville (a small municipality—population 1,300) adopted a 'code of conduct', designed for potential immigrants to the town. The code prohibited public stoning, female excision, and the wearing of burkas. Drafted by André Drouin (a municipal councillor who became a major media figure), the 'code of conduct' drew comments from around the globe and on 5 February 2007, Drouin asked the Premier of Quebec to declare a state of emergency. Five neighbouring towns asked their municipal and provincial governments to review the Canadian and Quebec charters.
  42. We conducted a study that constructed two analytical grids to examine factual media coverage on one hand (451 articles) and opinion discourses on the other hand (654 editorials, columns, and letters from intellectuals and readers) in Quebec's five major newspapers: *Le Devoir*, *La Presse*, *Le Journal de Montréal*, *The Gazette*, and *Le Soleil*. In addition, 734 commentaries on two blogs were analyzed, for a total of 1,839 texts (Potvin, *Crise des accommodements raisonnables*; Potvin et al., *Les médias écrits*).
  43. Stanley Cohen, *Folk Devils and Moral Panics* (London: MacGibbon and Kee, 1972).
  44. *Ibid.*, xvii.
  45. At least six times, *Le Journal de Montréal* used the angle of 'privileges' accorded to Jews in breaking news. For example, on 17 May 2006, its headline read: 'Special Privilege for Jews—Charest Government is Accommodating' (news story about a Jewish day care centre—a 'CPE'). On 18 May 2006, it read: 'Quebec City Ignores the Charter', (to open the Jewish daycare centre).
- On 25 May 2006, page 2 read 'Quebec City Keeps Code of Silence about Two CPEs,' with the subtitle: 'Jewish Community Favoured by Process'. On 19 November 2006, page 9 read: 'Laval CLSC. Preferential Treatment for a Jew'. This article recounted an incident from the day before in which a Jewish man jumped a queue in a health-care centre so that he could keep Shabbat. On 15 December 2006, *Le Journal* set off the 'CLSC de Ste-Thérèse de Blainville affair' (p. 3) with the headline: 'Reasonable Accommodations—Special Privileges for Jews'. The subtitle underscored the fact that: 'Nurses Must Bend to Their Demands to Provide Care to Patients from the Community'. Here we see a mechanism of victimization among the majority group as well as a generalization of the so-called demands of 'all Jews'. In many instances, persons belonging to the minority groups being discussed have little or no voice. Our translations.
46. Some anecdotes were presented as 'abusive' demands on institutions, when no such demands had actually been made by the minorities concerned. Such was the case for the 'directive' handed down by Montreal's police service and by Quebec's chief electoral officer on the issue of whether Muslim women wearing nikabs could vote with their faces covered.
  47. Another example: 17 November 2007, *Le Journal de Montréal* quoted Mario Dumont in a lead headline: 'Reasonable Accommodations—We are slipping into abuses of the Charter', with the subtitle, 'Leader of the ADQ judges some concessions to minorities to be worrisome'. The lead caption in the article reinforced this generalizing and negative angle: 'Accommodations made for ethnic and religious minorities defy common sense, according to Mario Dumont'. The article began with a quote from Dumont, who played up the victimization of the majority group: 'While a young Sikh is walking around with his dagger at school, the majority of Quebecers can no longer use the word "Christmas"'. The linkage of these kinds of quotes clearly oriented public debate: 'If a majority of citizens defends values that are its own, that does not constitute a racist attitude or a singular phenomenon in the modern world.' Quebec society was defined as being 'generous' in this article, reinforcing the notion that minorities were receiving 'privileges' and that in exchange they had to respect 'our values': 'The police haven't gone and kidnapped anyone in the world to force them to come and live in Quebec,' Dumont contended. Our translations.
  48. Opponents of reasonable accommodation did not all use racializing discursive mechanisms. For example, 79 per cent of the 391 letters from readers we analyzed expressed opposition, but 202 letters (52 per cent of the corpus) contained racializing discursive mechanisms. For more detailed data and numerous excerpts illustrating these mechanisms, see Potvin, *Crise des accommodements raisonnables*.
  49. Potvin, 'Discours publics et discriminations au Québec'; Potvin, 'Racisme et discours public commun au Québec'.

50. The rest of Canada has a long history of accusing Quebec (and the sovereignty movement) of racism. These accusations are perceived by many Quebecers as a denigration of the national character of francophones in Quebec

(initiated by the dominant anglophone group in Canada) and an attempt to reduce francophones to the status of 'just another minority'.

## RELEVANT WEBSITES

**COMMISSION DES DROITS DE LA PERSONNE ET DES DROITS DE LA JEUNESSE (CDPDJ):** [www.cdpedj.qc.ca/en/home.asp?noeud1=0&noeud2=0&cle=0](http://www.cdpedj.qc.ca/en/home.asp?noeud1=0&noeud2=0&cle=0)

**THE QUEBEC CHARTER OF HUMAN RIGHTS AND FREEDOMS:** [www.cdpedj.qc.ca/en/commun/docs/charter.pdf](http://www.cdpedj.qc.ca/en/commun/docs/charter.pdf)

**THE CONSULTATION COMMISSION ON ACCOMMODATION PRACTICES RELATED TO CULTURAL DIFFERENCES (CCAPRC):** [www.accommodements.qc.ca](http://www.accommodements.qc.ca)

**MINISTÈRE DE L'IMMIGRATION ET DES COMMUNAUTÉS CULTURELLES:** [www.micc.gouv.qc.ca](http://www.micc.gouv.qc.ca)

**LIBRARY AND ARCHIVES CANADA:** [www.collectionscanada.gc.ca/](http://www.collectionscanada.gc.ca/)

**SOME MISSING PAGES:** The Black Community in the History of Québec and Canada: [www.learnquebec.ca/en/content/curriculum/social\\_sciences/features/missingpages/](http://www.learnquebec.ca/en/content/curriculum/social_sciences/features/missingpages/)

**SLAVERY:** [www.champlain2004.org/html/07/03\\_e.html](http://www.champlain2004.org/html/07/03_e.html)

Part of the *New France, New Horizons* website produced by Library and Archives Canada.

**TORTURE AND THE TRUTH:** [www.canadianmysteries.ca/sites/angelique/accueil/indexen.html](http://www.canadianmysteries.ca/sites/angelique/accueil/indexen.html)

The story of Angelique (a Black slave) and the Burning of Montreal in 1734.

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