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Canadian multiculturalism as a specific social organization policy and method.
Its formation, scope, functioning and shortcomings.

summary of doctoral thesis

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I. Brief summary of the research objectives

Culture, as a phenomenon that is present in all human beings, influences their behavior unconsciously and makes them part of the community, as a whole, as well as through its elements – such as language, religion, customs, expression through symbols – depending significantly on its historical determinants, connects or separates certain communities within a society. As such, it can be subject of state intervention and administration, especially if the factors that divide communities are given greater emphasis. In this case, differences can also create conflicts that may have an impact on the most important public affair, the primary objective of the state, which is to ensure social peace.

Many states with a number of strong cultures replaced their earlier assimilation or even segregationist policies in the second half of the 20th century and the goal of state intervention became to create solidarity between communities in order to secure loyalty to the society, to the state and to realize a cohesive society. The thesis basically focuses on the emergence of this situation and one of the possible solutions to this, the policy of multiculturalism, in Canada: not only because it was the first one to implement multiculturalism as a state policy, but because we are talking about a country that has one of the most advanced multicultural solutions.

The first major part of the dissertation addresses dogmatic issues, first examining the concept of culture. Culture is a basic concept that everyone uses, but it has no widely accepted general definition. Due to these two characteristics, it may seem obvious to accept it as given, without dealing with its meaning, content and specifics. However, cultural anthropological research shows something else: understanding culture, its functioning, and its complex impact on human behavior can enable decision-makers to recognize which cultural elements are involved in conflicts, how they are interrelated, and can also serve as a basis for solutions. It can also create a more effective intercultural dialogue, which is the basis not only for smoothing conflicts but also for protecting cultures and cultural elements.

The dissertation therefore provides a brief overview of the notion of culture, its impact on human behavior and human identity, the relationship between society and culture, based on the most important cultural anthropological works, linking the notion of culture to the dilemma the state faces: every society tries to maintain its conviction and customs, language, and religion, but there may be multiple cultures within a society that either positively or negatively, but affect society, and the state must choose the method by which it responds to these.

Regarding the latter, the dissertation discusses the negative social reactions to the emergence of foreign cultures in the form of prejudice and the ways in which the state has dealt with disparities – with particular reference to the stages of assimilation described by sociologist Milton M. Gordon – until the concept of an inclusive, peaceful coexistence of cultures has emerged. The first part concludes with an introduction to multiculturalism as an ideology, its shades and criticisms.

The second part of the dissertation focuses on history, mainly presenting the historical background of the British-French relations, and only in a smaller part on the relationship between the indigenous and the colonizing nations. The reason for this focus is basically the completely different levels of power between the British, the French, and the indigenous nations, the latter were able to have some impact on the functioning of the state only from the 1970s. Prior to this, they were under enormous assimilation pressure, marginalized and not equal part of the society. Accordingly, the historical part of the dissertation focuses on the changes in British-French relations and their reasons and also on cultural differences between the two nations, concluding to the construction of Canadian national culture and identity in the 20th century, and construction of the policy of multiculturalism. In connection with the latter, the role of immigrants is discussed in a separate chapter, and only afterwards will the analysis of the situation of indigenous peoples be carried out, which is one of the major challenges Canada faces.

The fundamental theses of the dissertation are based on the interrelationships of history, society and culture. In my view, multiculturalism as a state policy should be understood as a continuously fluctuating scale rather than a system of stoned perceptions and tools. It fluctuates, on the one hand, because culture itself is constantly changing, and, on the other, because historical events and their impact on society necessarily affect multiculturalism, its perception and the system of content that fills it. A further thesis of the dissertation is that, in contrast to Kymlicka's view that the success of Canadian multiculturalism is based only on luck – since it was born in a place and time where and when all conditions were given –, I believe that historical background also determines this issue.

The third part of the dissertation is about the birth, tools and interpretation of the Canadian multicultural politics. Multiculturalism encompasses, or at least needs to cover, all aspects of life for its basic functioning: educational, work and family relationships, lifestyle, residential environment, and equal access to opportunities and resources. The dissertation focuses on the main causes, the emergence of social diversity and the 20th century changes in Anglo-French relations and also on linguistic issues, the role of education, the types of

multicultural programs and the importance of constitutional recognition of multiculturalism, as elements that all contributed to the emergence of Canadian mosaic and multiculturalism as its model of administration.

Here, a new thesis appears in the dissertation: since all cultures have some common elements, the applicability of multiculturalism depends on the amount of these common elements. If there is little difference, which can happen between nationalities, national minorities and majority cultures, it is unlikely that multiculturalism is applicable. In fact, multiculturalism is a social organization policy that focuses on accommodation: the majority society gives up its rights and power to better accommodate minority cultures in society and improve their position. However, if the majority has a tendency to adapt, by the time multiculturalism appears in political thinking and as a policy, nationalities have probably already gained a wide range of rights, so according to my opinion, in this case multiculturalism can only make little contribution to their situation. At the other endpoint of the spectrum, there are societies where minority cultures overlap only in minimal elements with the dominant culture, so this may require such a high degree of adaptation that may be incompatible with the fundamental values of majority culture which is a fundamental barrier. In fact, there are many cultural customs in the world that are or should be declared unacceptable in the Western culture.

Based on all of these, the next part of the dissertation examines the role of immigrants and refugees in the development of Canadian social diversity and the levels of adaptation to their cultures. In my view, immigrants' culture can be (though not necessarily) positioned in the center of the mentioned spectrum, where through mutual cooperation and adaptation solidarity can be created between communities, and through that loyalty to the state and to the society, which is the essence of multiculturalism.

Of the three groups of the multiculturalism's subjects (national minorities, immigrants, indigenous communities), immigrants are most likely to change the cultural fabric of a society. Unlike the other two groups, they are less dominated by historical relations to the state or centuries of grievances, however, the state has a wider scope of discretionary power deriving from its sovereignty, so it can shape more the processes regarding immigration. Yet we see that the state is often a helpless subject – when confronted with the unintended effects of its actions, or because of its inadequate measures, it is unable to control processes, or it is forced to accept the growing diversity of society because of labor shortages. This part of the dissertation therefore examines the Canadian state's relationship to immigrants, refugees, the factors influencing this relationship, and the role that the state has

played in making the Canadian society into a widely diverse one, through immigration. The dissertation also discusses how the state is trying to promote the social integration of immigrants regarding to the expanding and deepening diversity.

At the end the dissertation focuses on the indigenous nations and the state's relationship with these communities, and whether Canadian multiculturalism can be applied to them regarding to the historical background, and significant cultural differences. The paper concludes with a critical section on the French response to multiculturalism, how the culturally diverse communities are subjected to racism, and cases where the majority questioned the need for accommodation and thought that some habits are against society, pointing to the tensions surrounding multiculturalism.

II. Brief description of the research, methodology

The methodology of the dissertation is partly based on the experience of the dogmatic part, and therefore examines Canadian-type multiculturalism through two fundamental factors. On the one hand, it puts a strong emphasis on history, as it plays an important role in shaping the cultural patterns of a given nation. In Canada, at its birth there were already many nations who have seen and judged the same historical events from a completely different perspective, which determined their relationship to each other, and which then led to the introduction of multiculturalism as a state policy.

The other fundamental aspect that runs through the dissertation is the question of the subjects of multiculturalism. According to ideological multiculturalism, it can be applied to national and ethnic minorities, immigrant communities, and indigenous nations and peoples. The dissertation therefore focuses on the history of these three groups, their role in the Canadian nation, and the regulations and practices that apply to them, in order to explore whether the realization of multiculturalism can truly bring them under its umbrella and whether it promotes the position of all three groups.

The dogmatic part of the dissertation is based on cultural anthropological, sociological, political philosophical and administrative theoretical works. Since most of these do not belong to the field of law, I have used the literature accepted as essential. The basic starting point, namely the relationship between public administration and culture, is part of András Tamás's theory of administrative law, which determined my thinking as a student. The historical part is based on legal history and historical research. With regard to the latter, I placed great emphasis on verifying the facts stated in the sources, for in the discovery of Canada new evidences emerged recently. On the other hand, because of the British-French conflict, the differences in viewpoints had to be taken into account, so I tried to refer to French authors on more fundamental issues, though not necessarily in French. The rest of the thesis basically works with the methods of legal science, with descriptive-analytical, sometimes sociological elements, and it puts the changes of the law into a social context. In addition to the use of essential literature, I used works of Canadian authors primarily regarding of the questions that are connected to Canada.

About the point of view: a perfectly objective point of view does not exist, but it can and must be pursued. In my case, the decisive factor is that I myself lived in a multicultural, extremely colorful environment and regard it as a huge and positive experience. At the same time, I had to take into account the fact that I was in a selected environment, among people

that were open to the world, to different cultures and personalities, so I experienced an extremely ideal environment for multiculturalism that I should not project into the social reality. The choice of topic was, however, influenced by this experience, as well as my studies in the field of administrative law theory. On the other hand, the dissertation has to be placed in space and time: it was written in Hungary in 2019 and by an author who grew up in the dominant culture with a thousand-year-old roots. As a result, the purpose of this dissertation is not to place it in Canadian environment, but to provide a cornerstone for the Hungarian perspective.

III. Brief summary of the conclusions of the research

The dissertation is based on the two essential characteristics of multiculturalism, it enables the peaceful coexistence of cultures, thus creating loyalty to the state and society, which leads to social peace as the most important goal of the state. Although multiculturalism rejects the existence of a dominant culture, the dissertation argues this approach, because it contradicts socio-political realities. The equality of cultures means their equality in value, but it does not mean that they have, or should have, equal political power or interest too. It is the dominant culture that is interlinked with society and social institutions, in the case of minority cultures same conditions are given only if they have territorial autonomy, still without equal power potential. Majority culture also has political control, even if it chooses to adapt and forgo part of its power in favor of minority groups. The historically dominant culture, even if it diminishes its dominant position, it will not do it to a level where it gives up its powers relating to political decision-making. Therefore, it is ultimately up to the dominant culture to determine the level at which it adapts to the needs of minority cultures. This also implies that, in the process of adaptation, society cannot be expected to give up the main features of its dominant culture.

One of the theses of the dissertation was related to the determinative power of the historical background. The thesis was certainly justified by the fact that the historical presence of different cultures and their role in promoting the society were strongly emphasized in the development of multiculturalism as a state policy. Similarly, the historically persistent British-French conflict, which occasionally involved adaptation (e.g. language use before the courts or in legislation, protection of customary law, ensuring the practice of Catholic religion, the ability of Catholics to hold office, Catholic education, its own parliament and government) and, as a result, multiculturalism was also developed. On the other hand, the presence of indigenous communities and historical relations with them, initially based on the equal position of these nations, did not play a role in adoption of this policy. This thesis of the dissertation is also countered by the exclusion of, and discriminatory and racist practices against immigrants in the first half of the 20th century. In this respect, multiculturalism is not the result of an organic process, but rather a major paradigm shift, due in large part to the spread of social movements in the 1960s and the universalization of human rights. Thus, in my view, cultural diversity, the historical presence of adaptation to the French community, and the influence of social movements in the 1960s, combined with the loss of British

imperial identity and the need to create a new Canadian identity, contributed to the success of Canadian multiculturalism and its social acceptance.

Starting from the interconnection of multiculturalism with social, historical and political processes, the dissertation took the view that multiculturalism could be understood as a fluctuating spectrum. The dissertation has largely reached confirmatory conclusions regarding this thesis. Looking at the subject, one of the shortcomings of the multiculturalism in the French community has been highlighted: it does not differentiate between the needs of nationalities and immigrant communities.

Although multiculturalism as a principle includes the French community, it also considers French culture to be an equal culture, but overall did not offer them favorable options. Québec, as a province had greater autonomy, its own parliament, government, powers, language, the protection of the Catholic religion, which was also essential for French identity, French-language curriculum with content defined by the province and a Civil Code. In other words, by the time multiculturalism was introduced as a state policy, the elements and rights associated with French identity that had previously caused conflicts between the British and the French communities were assured, so thus it had obviously no relevance to non-conflict issues. In contrast, multicultural politics did not recognize the fears associated with minority existence, i.e. cultural assimilation, the danger of dissolution in the cultural mosaic, and the loss of one's mother tongue. Instead, multiculturalism has created a system of adaptation to the needs of immigrants. As immigrant communities have a goal of inclusion, unlike the nationalities that have autonomy, multiculturalism has sensitized society through anti-discrimination, anti-racist programs, it has given their communities the opportunity to become an equal part of society, and has sought to create an inclusive society for them. Overall, therefore, it was unable to achieve one of its most important positive effects on the French, to establish, maintain, or even promote loyalty to the state and society as a whole, and thus could not really block the secessionist aspirations and the clash of the need for sovereignty and the need for autonomy.

It is difficult to come to a clear conclusion of the situation of indigenous people, in addition to that they gained attention from the state really late and their ability to assert their interests is smaller. On the one hand, there is a fundamental need to treat indigenous peoples as a diverse group, that is to say, not as a matter of adapting to indigenous peoples, but to individual indigenous groups, which show significant differences in language and customs. On the other hand, their needs are diverse: for example, their land claims needs a solution which is far from typical multicultural solutions that focus on learning about cultures,

emphasizing commonalities, and accepting differences. The attitude of the society is also different: 30% of the population has an immigrant root, and Canadian identity is part of multiculturalism in the sense that it provides accommodation to immigrants, while indigenous peoples continue to suffer discrimination rooted from historical background. There are also significant cultural differences. Dogmatic multiculturalism has for some time been dealing with the question of whether all cultural differences should be perceived as values or whether boundaries should be drawn. It is also a question whether any differences can be bridged. In the context of aboriginal cultures, their patriarchal arrangements, grievances against women as unacceptable cultural habits are regularly cited as examples, but we can mention premodern lifestyles, differences in thinking structures (for example their approaches to history being non-linear) or their community-based society, compared to the individualistic Western cultures. For indigenous communities, preserving their languages, improving their employment, education, health, and housing situation is currently the primary goal, which is a highly resource-intensive and complex task that can only be supplemented by classical multicultural solutions, for example by drawing attention to the values of their habits to gradually break down the discriminatory attitudes towards them.

In Canada, therefore, as stated in the thesis, immigrant culture is at the center of the spectrum, where, through mutual cooperation, adaptation can create solidarity between communities and loyalty to the state and society as the essence of multiculturalism. This is supported by the introduction of multicultural and integration programs, education (e.g. the Quebec ERC Program) and judicial practice. Article 27 of the Charter, the multicultural heritage clause, focuses on the emergence, past and present effects of multiculturalism, serves as a test (or, most importantly, as an added value) to the limitation of fundamental rights and basically concerns immigrants and their communities. It is also worth mentioning that public opinion also basically links multiculturalism with immigrants.

One of the theses of the dissertation is that multiculturalism fluctuates on this spectrum. Some ways of dealing with cultural differences have also shown that the extent of adaptation depends on state decisions, which are closely linked to the functioning of society. This can also be modeled in Canada: in the context of immigration and asylum policies, we have seen how Canada adjusts its degree of adaptation to changing circumstances or the unintended effects of its regulation and practice.

The thesis points out that in the context of immigration, although the state has greater room for discretion, there are certain factors that may constitute compelling circumstances and thus limit state action, bringing the diversity of society, either against the will of the state

or surpassing it, too. These include the effects of illegal immigration, the fulfillment of humanitarian obligations, and constraints such as labor shortages. The phenomenon of illegal immigration cannot be completely eliminated and sometimes culminates in status legalization, refuge has been removed from the context of absolute state discretion, and some states have committed themselves to it as part of their international legal obligation, and changes of the economic structure or a greater economic boom may also have led the state to replace non-existent labor by resettling immigrants. The contribution of these factors to diversity varies geographically and periodically; for example, all three were of major importance for Canada.

The dissertation also pointed out that in many cases diversity has been increased against state control, such as increased immigration due to the lack of land border controls, illegal stay abusing the rules of alien policing, or even the unintended effect of alien policing solutions, for example higher rates of sponsored immigration by relatives than expected. As regards the humanitarian component, from the moment its existence was accepted by the state, there was admission through ad hoc and then formalized procedures, as well as limited and deliberately open reception (e.g. resettlement of refugees from European refugee camps). This was complemented by the interconnectedness of each element and their generating effect: immigrant groups supported not only family reunification and facilitation of free-immigration, but also the broader reception of asylum seekers. Diversity was further enhanced by the adoption of the principle of equality.

The pattern of increasing and deepening of diversity is also recognizable, which is called by the dissertation strictly related to this issue as horizontal and vertical diversity. One of the findings of the dissertation is that diversity first increased horizontally with the emergence of more and more culturally diverse groups through immigration in Canada. More and more mosaic emerged, which mosaics then grew stronger and deepened themselves as their ability to preserve their own cultures have grown stronger. Originally in Canada, the British groups and the French community were present, and immigration first strengthened the former, and only later, with the end of the discriminatory immigration policy and the emergence of a regulated and supportive asylum policy, did the Canadian mosaic become diverse and vertically deep. Parallel to this, social attitudes have changed: immigrants originally came from Europe and America, followed by those from the rest of the world, most recently from the African states. The problems encountered were primarily social rather than integrative, as it was difficult to solve housing, social and health care, or education, while immigrants generally felt that they could fit in and that there were no ghetto-based environments. The latter began to spread in the '90s, making integration difficult, as the

mosaic became so diverse that practices that were considered unacceptable by the majority came up. The latter issues are exemplified in the final section of the dissertation, dealing with the critique of multiculturalism, focusing on what practices the majority opposed, questioning the need for accommodation, as they were perceived to work against society.

Reviewing the history of Canadian multiculturalism, the evolution of the relationship between French nationality and the British majority, as well as the role of the state in the expansion and deepening of the Canadian mosaic, is also instructive, even as deterrence. At the same time, one of the best practices for finding solutions is that when a matter of major societal concern arises, they tend to form a committee whose members, or at least some members are scientists, and they carry out high number of public hearings, in which the views of the community concerned are taken into account with great emphasis.

From a methodological point of view, solving diversity problems requires partly anthropological (or sociological, socio-psychological, economic, political, etc.) research and, on the other hand, the effective involvement of law, state institutions and individual communities, the sole defining of political goals and their administration are not enough. On the other hand, involving the leaders and advocates of the communities concerned in the decision-making mechanisms can be welcomed, as the community is not a passive participant in the processes, but also a facilitator. The more efficient the state wants to be, the more complex processes and information it must base its decisions about how to deal with cultural-identity (ethnic, religious) differences. Society and culture are entities with enormous complexity, and if the state wants to reach into the relationship between these two entities, it can only be done with great care.

However, there is only limited use of Canadian methods and experience in other countries. Historical background, population composition, habits, willingness to adapt, the strength of identity all differ significantly between Canada and most European states. Canadian national identity only developed in the 20th century, but it has a solid foundation for European states of at least a thousand years, so it may have a different perception of adaptation. Nevertheless, there are elements of multiculturalism that may work well in other contexts, such as multicultural education, which may include the presentation of indigenous minority cultures and anti-racist curricula.

IV. Publications of the author, related to the topic

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