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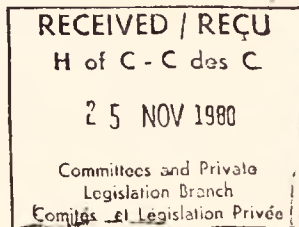
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JOINT CLERK SPECIAL JOINT COMMITTEE ON THE CONSTITUTION OF CANADA

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LEAF 5188:

THE IDEOLOGY OF MULTICULTURALISM HOLDS THE GREATEST PROMISE FOR
CANADIAN UNITY AND UNDERSTANDING. MULTICULTURALISM MUST BECOME
MORE THAN A SONG AND DANCE EXHIBITION AS PORTRAYED BY THE FOLKFEST.
IT MUST BECOME THE FOUNDATION OF CANADIAN CITIZENSHIP AND A
SEA-TO-SEA DEMONSTRATION OF HUMAN RIGHTS AND INTERCULTURAL EXCHANGE.
WE BELIEVE THAT A COVENANT COVERING HUMAN RIGHTS IN CANADA MUST
BE ENshrINED IN THE CONSTITUTION. UNDER THIS COVENANT THERE SHOULD
BE AN ARTICLE SPECIFICALLY COVERING SOCIAL AND CULTURAL RIGHTS.
THIS LETTER IS A REQUEST TO APPEAR BEFORE THE JOINT COMMITTEE TO
PRESENT A BRIEF ON CULTURAL GRASS ROOTS INTERCULTURAL EXCHANGE AND
THE NEED FOR CULTURAL RIGHTS IN CANADA.

R.A. (BILCH) SMITHERAM, PRESIDENT,

THE AFFILIATION OF MULTICULTURAL SOCIETIES OF B.C.

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BRIEF

RECOMMENDATIONS TO THE
SENATE HOUSE OF COMMONS
SPECIAL JOINT COMMITTEE ON THE
CONSTITUTION OF CANADA

Presented by
delegates of the
Afro-Asian Foundation of Canada:
Mr. Sebastian Alakatusery
Dr. Carole Christensen
Mr. Justin Teji

January 6, 1981

INTRODUCTION

To the Honourable Senate House of Commons Special Joint Committee on the Constitution of Canada, considering the document entitled "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada", we have the honour of witnessing before the Committee on behalf of the members of the Afro-Asian Foundation of Canada. We wish to express our gratitude at having been invited to testify before this Committee despite the lateness of our request. We are honoured to take part in this most historic event, and we recognize your invitation as an expression of your concern about the plight of Afro-Asian Canadians.

We also wish to express our appreciation to the Rt. Honourable Pierre Elliott Trudeau, the Prime Minister of Canada, and his Government for their courageous effort to patriate the Canadian Constitution. We endorse the aim of the Government to Patriate the Constitution with an enshrined Charter of Rights. The need for a Charter of Rights that is carefully worded and which provides strong measures for enforcement, is widely recognized by members of minority groups across this nation.

The Afro-Asian Foundation of Canada was founded in March of 1980 for the express purpose of encouraging cooperation among the many organizations representing people of African and Asian descent. A major goal of our Foundation is to promote greater

politic, of our historical plight and present-day concerns as minority Canadians. It is with this goal in mind that we appear before the Joint Committee today.

Historical Background

The true original Canadians were the Indians and the Inuit, who are themselves believed to be descendents of the Asian Continent. In its present form, Canada was, however, "settled" by peoples of predominantly French and British origin, leading to the concept of "two founding races". The difficulties which this two nation concept has wrought for that quarter of the population which is of neither British nor French origin have been duly recognized in the 1969 Report of the Royal Commission on Bilingualism and Biculturalism, Volume 4. As stated in that Volume (page 6), most immigrants of non-French, non-British origin would prefer to consider themselves simply "Canadians" without becoming embroiled in the process of choosing between the two societies, with all that implies. Non-White Canadians have, indeed, suffered injustices under the colonial policies of both the French and the English, in their countries of origin (i.e. on the Asian, African and South American continents as well as in the Carribean).

Furthermore, painful experiences have been endured by Afro-Asians on Canadian shores since this country became a modern nation. We are here referring to such acts as: the enslavement of "Panis" (Native Indians) and "Negroes" (Blacks) under French

and British rule; the evolution of an immigration policy which for years effectively barred Afro-Asians and sought to maintain Canada as a refuge for White and preferably Northern European, immigrants; and the formal and the informal practices of institutionalized racism that have limited the life-chances and opportunities of Afro-Asians in all facets of Canadian life (e.g., the Chinese Exclusion Act of 1923; the segregation of Blacks from Whites in Nova Scotia and Ontario; the evacuation of the Japanese in British Columbia during World War II; the sad plight of our Native People on reservations). Neither of the two "founding peoples" have recognized the significant contributions of non-White Canadians to the development of this nation since its very beginning. Rather, the two nation concept continues to relegate non-Whites to a peripheral position in our society. As a result of the educational process, our children, White and non-White, French and English, are left with the impression that those of Asian and African descent are all newcomers to our shores. For example, most French Canadians have not been told of Samuel de Champlain's indebtedness to Matthew de Costa, the Black crewman whose linguistic skills allowed him to act as interpreter of the Native Indian language when the "JONAS" landed in Nova Scotia in 1606. The settlement of Western Canada by Blacks in the 1700's and 1800's is a little-known fact of Canadian history. Despite the building of the railway by Chinese and Japanese workers in the 1850's, their present-day descendants are often regarded as "foreigners".

In the time allotted, it would be impossible to list the many

significant contributions that have been made by Afro-Asian Canadians. However, a number of written works are readily available for the enlightenment of concerned persons.

Present Conditions

Because most Canadians mistakenly believe that immigrants who are descendents of Third-World countries take from this society more than they give, prejudice and discrimination continue to plague our children on all fronts; they are often stereotyped, ostracized, victimized and ghettoized. Although they feel alienated from the historical antagonisms between the English and the French, their desire to develop a truly Canadian identity is held in check by a system of "White" social values which keep them apart from the socio-economic mainstream of Canadian life.

Non-White Canadians continue to suffer discrimination in education, employment, job-promotion, housing and recreational facilities, as well as unequal protection by law enforcement agencies. As he migrates from one province to another, the non-white individual's rights and protection may vary according to the provisions of provincial legislation or the lack thereof. Moreover, few representatives of non-White groups are to be found as appointed or elected officials in governmental and other decision-making bodies.

The recommendations which we are presenting to you would allow the Federal Government to exercise a position of leadership in helping to redress this most unhealthy situation. The patriation of the Constitution with an entrenched Charter of Rights would be

a most important step in the direction of building a truly egalitarian multicultural society.

Underlying Considerations

We, Canadians of Afro-Asian origin, represented by the Afro-Asian Foundation of Canada, recognize that the concept of "two nations" expresses the reality of an historical period in Canadian history; however the "two-nation" concept, is no longer adequate to express the reality of the present situation or the position to which Canada aspires in the world of the future.

The Canada of today is a country consisting of inhabitants from diverse origins whose interests, aspirations, hopes and dreams must be considered in any attempt to patriate and amend the constitution. Canada must be recognized as the homeland of all people who have chosen to live, work and help build the future of this country.

There is a tendency on the part of some White citizens to view Canada as a country that should remain an exclusively White homeland. In fact, Canadian immigration policies have often been formulated giving due consideration to this viewpoint. Historical incidents provide a number of cases of harrassment and forcible deportation of Afro-Asians. Canada is presently recognized as a major economic power in the world, having significant ties not only to Europe and the United States, but also to Third-World nations; the latter are not without considerable privilege and advantage to this country. Socio-economic overtures to the Thrid-World cannot but result in the desire on

the part of many Third-World peoples to come to Canada. Not unlike previous generations of European immigrants, non-White immigrants are seeking to better their standard of living and to enjoy the democratic freedoms for which Canada is known abroad. The arrival of these new immigrants to Canadian shores must inevitably lead to a more cosmopolitan character in the Canadian population. Unfortunately, efforts on the part of non-White Canadians to organize for the improvement of their social and political conditions, are often viewed as the work of radical or militant activists. Consequently, such false perceptions are used to suppress the political participation of minorities.

Afro-Asians came to Canada with the expectation of being able to move freely from village to village and from coast to coast. Due to the haphazard nature of provincial human rights legislation, Afro-Asian Canadians are, unfortunately, not yet able to enjoy complete freedom of mobility without a sense of insecurity. We recognize that education is a key element that should ensure all Canadians of the possibility for socio-economic mobility. Only by gaining equal access to the knowledge and information necessary for social, political, economic and technical advancement can non-white Canadians be enabled to enjoy and contribute to the great Canadian cultural heritage. In view of the above concerns we wish, therefore, to make the following recommendations.

Recommendations:

1. That a charter of Human Rights be entrenched in a patriated constitution;
2. That fundamental human rights, including the right of all citizens and permanent residents to move freely throughout the country, be explicitly recognized in the Constitution;
3. That an article of the Constitution should specifically state that no person may lawfully be denied freedom of movement or freedom of employment in any Canadian territory on the basis of race, colour or national origin;
4. That a clause in the Constitution provide for the protection of places of worship of Afro-Asian religious sects from vandalism, and defamation; such acts encourage hatred and disdain for that which is different;
5. That an article of the Constitution protect Afro-Asian minorities from all forms of aggression and violence to which they are presently exposed by groups whose stated objective is to promote hatred and racism directed toward non-White groups. Such acts not only jeopardize the security of non-White minorities, but also undermine the dignity of humankind;
6. That an article of the Constitution state that no person may be discriminated against in places of employment, education, health, political and social institutions, on the basis of race, colour, religion or national origin; explicit provision should also be made for adequate enforcement;

7. That the Federal Government ensure that, wherever feasible, all children, regardless of mother-tongue or national origin, be entitled to receive public education in the official language of their choice;
8. That an article of the Constitution provide for the creation of a Federal Commission to attend to the complaints of non-White minorities who suffer discriminatory acts that prevent their enjoyment of all privileges to which other Canadians are entitled;
9. That an affirmative action program be instituted that would ensure the representation of non-White minorities in decision-making positions on all levels in both public and governmental bodies (e.g. police forces, armed forces, boards of education, the media);
10. That the Federal Government assume a position of leadership in enlisting the cooperation of public and private groups representing non-White minorities in order to sensitize majority-group Canadians employed in public institutions (e.g. the police force, immigration offices, the judiciary systems, educational institutions etc.) to the historical and present-day circumstances of non-White groups in Canada.

CONCLUSION

In conclusion, we wish to emphasize our great concern that the patriation of the Constitution must give due consideration to the needs of all Canadians. In this regard, we support the efforts of our Native People, the Indians and Inuit to ensure that their aboriginal rights and treaties should be safeguarded and protected in the New Constitution.

As we near the end of the twentieth century, we are becoming increasingly aware of our interdependence, not only with European, but also with Third-World countries. Leaders of the Third-World are particularly interested in the treatment of their descendents on Canadian soil. Surely, a Constitution patriated without the meaningful involvement of non-White peoples and other minorities would jeopardize Canada's role as the champion of human rights abroad.

As a young and growing country with inhabitants representing every part of the globe, Canada occupies a remarkably unique position in the world today. The eyes of the world are upon us. Let us use this opportunity to build a strong Canadian society in which the rights of all people are protected under the law.