

Canada's Rights Revolution: Social Movements and Social Change, 1937–1982¹

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In February 1987, a group calling themselves the Raging Grannies joined an anti-uranium rally in Victoria after the BC government decided to lift its **moratorium** on uranium mining. Dressed in purple, yellow, and blue flowered hats and long white gloves, and carrying leather purses, the Grannies sang their trademark songs 'Uranium Tango' and 'Jealousy' to the amusement or—for the musically inclined—the horror of the protestors. After having whipped the crowd into energetic applause, the Grannies announced that they had their own briefs to present to the legislature, and with stupendous aplomb they produced a laundry basket and a clothesline, which they stretched from one end of the stone steps to the other. Clothes pegs were unpacked, along with a selection of undies, including long johns, boxers, and bikinis, which they clipped on the line. The crowd roared and the media dutifully covered the event.

The Raging Grannies are a typical example of a social movement organization (SMO). While SMOs certainly do not *constitute* a **movement** in and of themselves, they form an important dynamic within the overall movement. Movements are defined by the beliefs they propagate and their ability to mobilize collective action around those beliefs, but all movements are composed of the people who struggle to articulate and apply, sometimes imperfectly, those beliefs. SMOs mobilize the resources of a movement, and are carriers of movement ideas, and are thus useful windows for studying social movements. Also, unlike an **interest group**, which assumes a clear distinction

between civil society and the state and focuses its efforts on promoting the interests of its members, the Grannies, who seek to promote the principles of the peace movement, challenge public-private divisions. For them, promoting social change has become a way of life. Participation in the Grannies is a way for its members to find a role for themselves in a society where the elderly, particularly women, are expected to sit quietly on the sidelines. Yes, they seek to change the minds of policy-makers. But most of their efforts are directed inward. Understanding the complexities of social activism is, I believe, an important contribution that historians and sociologists can make to understanding the dynamics of local, national, and international social movements.

My book *Canada's Rights Revolution* (Clément 2008) engaged not only with the study of social movements, but with human rights as well. Consider, for a moment, the tragic circumstances surrounding the life of Lal Jamilla Mandokhel. In March 1999, Lal Jamilla, a 16-year-old girl in Pakistan, was repeatedly raped. Her uncle filed a complaint with the police. Police officers detained her attacker, but handed Lal Jamilla over to her tribe. The council of elders decided that Lal Jamilla had brought shame on the tribe, and that the only way to overcome the shame was to put her to death. She was shot dead on the orders of the council (Freeman 2002: 1).

Is this a violation of human rights? The answer would seem obvious, but in fact there are rigorous debates about whether human rights is a Western

idea, and whether or not human rights principles apply in situations such as that of Lal Jamilla. The study of human rights is the study of a particular social context. That is not to say I am a cultural relativist—far from it. Too often has this line of argument been used to justify horrors such as those visited upon young Lal Jamilla. But to ignore the social context in which human rights evolve is to shield ourselves from the necessary application of human rights in our everyday lives.

In writing the book, I had two objectives. The first was to explore some of the most controversial human rights violations in Canadian history. I examined controversies such as denominational education, domestic terrorism, criminalization of narcotics, civilian review of the police, national security policies, and **welfare** policy reform. Each of these controversies highlights how people struggled to apply vague human rights principles to concrete issues their communities faced.

Throughout its history, the human rights movement in Canada was ideologically divided, fighting similar issues from different perspectives. For example, in the case of single mothers in Ontario before 1987, a particularly notorious regulation called the 'man in the house rule' stated that if there was evidence that a woman receiving welfare had a male living with her, she would lose her welfare support (the same rule did not apply to men). It was a regulation deeply rooted in the **breadwinner** ideology, and presumed that a sexual relationship implied a financial one. It resulted in welfare officials scrutinizing women's sexual activity; in order to receive welfare, women had to appear as chaste as possible. The records produced by welfare officials whose job it was to investigate welfare fraud make for fascinating reading. In attempting to determine if a man was living in the house, they reported everything from open beer cans to raised toilet seats.

Civil liberties organizations such as the Canadian Civil Liberties Association (CCLA) and the British Columbia Civil Liberties Association (BCCLA) fought to have this odious regulation reworded in 1987 to include spouses of men and women, so that it no longer targeted only sexual relationships and women. But neither association dealt with the

amount of welfare people received—only with the administration of welfare. In contrast, *human rights* groups such as the Ligue des droits de l'homme or the Newfoundland Human Rights Association fought vigorously to raise the amount of welfare. In the mid-1970s, the Toronto Social Planning Council estimated that welfare recipients received barely 60 per cent of the funds necessary to maintain a basic standard of living (see Clément 2008: 163). Whereas human rights groups argued that individuals had a right to economic security, and could not exercise their political and civil rights without proper resources, their civil libertarian counterparts considered these questions as matters of public policy, not rights.

My second objective was to study professional social movement organizations. These organizations are important vehicles for promoting social change. But how did they conceive of social change? In an era made famous by activism and social ferment, what challenges faced social movement organizations?

I argued that the idea of human rights is highly statist, and that the evolution of human rights has been intimately linked with the rise of the modern state. But grassroots activism, not the state, was at the heart of the most profound human rights advances in Canadian history. Still, most activists embraced a minimalist approach to human rights. Human rights activists have long recognized that economic or gender inequalities lead to rights violations. But human rights advocates too often assume that correlative duties that emerge from moral human rights claims rely on the *state*. This, I believe, is problematic. Human rights advocacy is inherently directed toward state power; rights discourse is thus a potentially poor vehicle for limiting economic or private power. So, for instance, the human rights groups I examined in my book did not campaign around ensuring that corporations did not deprive others; nor did they seek to challenge private forms of oppression, such as male power within the family. By locating duties only within the state, the potential for challenges to economic and private power are severely limited.

Ultimately the book was about asking a more fundamental question: To what degree can rights

discourse promote social change? Human rights encourage the perception of social change as legal change. I argued that individuals and groups can make rights-claims and that such claims have a powerful moral force, but they have not been recognized as *rights* until enforced by the state.

This is, in my mind, the basis for a sociology of human rights. Far too few social historians or sociologists study human rights in Canada, and this is an area that is ripe for future studies. . . . Legal scholars and political scientists have dominated the study of human rights and, as a result, such studies tend to focus on the courts and governments—almost as if the state alone were responsible for human rights innovations.

I had to submit numerous freedom of information (FOI) requests, which was by far the most torturous aspect of my research. Innocuous material such as information about funding for SMOs is restricted by law, even 40 years after the fact. The problem in essence is that access laws do not specify which materials should be restricted, and have created a blanket prohibition that is excessively broad. Frankly, I've come to the conclusion that we should consider discouraging graduate students from pursuing research projects that require FOI application. The worst situation, in my experience, is in British Columbia. Three years ago, the BC Archives began enforcing an obscure part of the provincial FOI laws that requires users to permit civil servants to 'audit' (inspect) their home and offices, including their computers, to confirm their security measures. This is a remarkably invasive requirement to obtain access to documents that were at one time in the public domain and are hardly national security threats. It is a shocking invasion of privacy, and I can't help but think that this can only act to the detriment of producing research on BC history. And the policy doesn't even achieve the standards of basic due process, since only people in Vancouver or Victoria are subject to arbitrary inspections because the province will not pay the archivists to go anywhere else.

One of the reasons I wrote *Canada's Rights Revolution* as a series of case studies was to link the English and French experiences in Canada. Far too many contemporary studies of Canada, historical

or sociological, which purport to be 'national', are in fact studies of English Canada supported by weak explanations for why the author has not incorporated the francophone experience.

This year's short-list for the Canadian Historical Association's book prize does not include a single book written in French; every book is regional or based on English Canada. In the past 10 years, almost all the books short-listed for the prize were explicitly about either English Canada or Quebec. The very few books that did claim to be 'national' either did not draw on both English and French language sources or, in the case of English-language books, offered weak explanations for not including Quebec. The Canadian Sociological Association's John Porter Prize reflects exactly the same trend: since 1983, only one French-language book has won the prize, and except for Allan Greer's book on the Lower Canada rebellion of 1837, as far as I can tell, mine is the only one to link the English and French experiences and draw on sources in both languages. Certainly within the literature I know very well—the sociological literature on social movements and human rights in Canada—I can think of very few studies that are not limited to either English or French Canada or that effectively draw on literature in both languages.

Can we truly claim to be offering national studies when we ignore the entire literature written in French? Surely we are neglecting an incredible amount of literature on Canada.

To return to my earlier point, is the francophone experience really so different that it requires separate consideration? I worry about such broad generalizations, especially in any study dealing with the post-World War II period. My book shows how the Ligue des droits de l'homme, a unilingual francophone rights association in Montreal, engaged with the same debates as its counterparts across Canada and abroad, and regularly interacted with people outside Quebec. It's an old expression, but the term 'two solitudes' seems apt for describing a great deal of academic writing today, at least in studies on human rights and social movements.

My point is not to disparage regional studies or studies that rely on English-language sources. Far from it. But if we are going to engage in studies

of social movements or human rights in Canada, or any similar national study, especially in the post-1960s period, we need to engage with the literature and sources in both languages. This is not only because it is critical to engage with the broader academic community studying Canada, but also because experiences across the country

are increasingly comparable and can inform each other. With various broad historical changes (the advent of new technologies and demographic mobility since the 1960s, to name only two examples) developments in Montreal and Trois Rivières are no longer so different or isolated from those in Smithers BC or St. John's.

Note

1. Excerpts from the John Porter Tradition of Excellence Book Awards lecture at the 2010 Canadian Sociological Association conference. The book discussed in this paper

is the winner of the 2009 John Porter Award: Dominique Clément, *Canada's Rights Revolution: Social Movements and Social Change, 1937–1982* (Vancouver: UBC Press, 2008).

Reference

Michael Freeman, *Human Rights: An Interdisciplinary Approach* (Cambridge: Polity Press, 2002), 1.