

# Disrupting the Mantra of Multiculturalism: Hate Crime in Canada

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[abs.sagepub.com](http://abs.sagepub.com)**Barbara Perry<sup>1</sup>****Abstract**

While Canada proclaims itself to be among the most diverse and inclusive nations, the persistence of hate crime challenges this vision. The “myth of multiculturalism” is laid bare by exclusionary acts of harassment and violence. This article traces the tropes of multiculturalism before assessing the ways in which bias-motivated violence reveals the fissures in this facade. Optimistically, however, it concludes with a consideration of the unintended constructive impacts of ongoing patterns of hostility. That is, the rhetoric of multiculturalism still has some capacity to provide a foundation for critical discourse inspired by victimization.

**Keywords**

hate crime, multiculturalism, victimization

For more than a quarter century, Canadians have clung to the mythology of multiculturalism. It has become the mantra of this nation to proclaim itself among the most diverse and inclusive countries among its peers. However, like those peers, Canada has experienced its share of hate crime. Such violence threatens the “myth of multiculturalism” so deeply embedded in our national psyche. As the Right Honourable Beverly McLachlin (2003) stated in her LaFontaine-Baldwin address, “In Canada, we vaunt our multi-cultural society, yet still racism, anti-Semitism and religious intolerance lurk in our dark corners.”

Hate crimes are direct threats to the principles of Canadian multiculturalism, and have the potential to present obstacles to the ability or willingness of affected communities to engage in civic life. It is this particular aspect of hate crime that this article

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<sup>1</sup>University of Ontario Institute of Technology, Oshawa, Ontario, Canada

**Corresponding Author:**

Barbara Perry, Faculty of Social Science and Humanities, University of Ontario Institute of Technology, 2000 Simcoe Street North, Oshawa, Ontario L1H 7K4, Canada.

Email: [barbara.perry@uoit.ca](mailto:barbara.perry@uoit.ca)

explores. I aim to uncover the ways in which hate crime challenges the much heralded “policy” of multiculturalism in Canada. I begin by defining hate crime, before moving on to explore the central tropes of Canadian multiculturalism. This then provides the springboard for the heart of the article: an exploration of the ways in which hate crime poses problems for multiculturalism, especially in the realms of policy, practice, and ideology.

The observations in this article derive from 15 years of scholarly attention to hate crime. My theoretical suppositions have been reinforced by scores of interviews, focus groups, and survey responses from an array of projects in which I have been involved over the course of those years. Thus, what follows is not a systematic analysis of any single project, but a reflection of the cumulative wisdom of diverse and myriad participants, representing similarly varied communities, including lesbian, gay, bisexual, transgender, and queer (LGBTQ), Muslim, Asian, Aboriginal, Jewish, South Asian, and Black communities.

## **Understanding Hate Crime**

I have consistently defined hate crime as behavior that

involves acts of violence and intimidation, usually directed toward already stigmatized and marginalized groups. As such, it is a mechanism of power, intended to reaffirm the precarious hierarchies that characterize a given social order. It attempts to recreate simultaneously the threatened (real or imagined) hegemony of the perpetrator’s group and the “appropriate” subordinate identity of the victim’s group. (Perry, 2001, p. 10)

It is a forceful illustration of what it is to engage in situated conduct. The interactions between subordinate and dominant groups provide a context in which both compete for the privilege to define difference in ways which either perpetuate or reconfigure hierarchies of social power. Simultaneous and oppositional efforts to do difference set up tensions, in which the act of victimization coconstructs the victim and perpetrator. This confrontation is informed by the broader cultural and political arrangements which “allocate rights, privilege and prestige according to biological or social characteristics” (Sheffield, 1995, p. 438). Perpetrators attempt to reaffirm their dominant identity, their access to resources and privilege, while at the same time limiting the opportunities of the victims to express their own needs. The performance of hate violence, then, confirms the “natural” relations of superiority/inferiority. It is a form of interpersonal and intercultural expression that signifies boundaries. And, significantly, the boundary is “capable of organizing personal interactions in sometimes lethal ways” (Cornell & Hartmann, 1998, p. 185).

It is important to recognize that hate crimes are not simply individual acts, motivated by individual prejudices. Rather, they are systemic; they are embedded in the broader power relations within a given culture (Bowling, 1993; Young, 1990). Similarly, the victim of hate crime is not restricted to the individual who might have been assaulted. Rather, the harm and the message extend to the victim’s community.

So, for example, vandalizing the home of one Jewish family is intended to send the message to all Jewish people that they are not welcome in the neighborhood. Indeed, running through much of the literature—even through court decisions on hate crime—is the assumption that such offences are qualitatively different in their effects, as compared with their nonbias-motivated counterparts. Specifically, Iganski (2001) contends that there are five distinct types of harm associated with hate crime: harm to the initial victim, harm to the victim's group, harm to the victim's group (outside the neighborhood), harm to other targeted communities, and harm to societal norms and values.

The first of these has been the subject of considerable scholarly attention. Research suggests that first and foremost among the impacts on the individual is the physical harm: bias-motivated crimes are often characterized by extreme brutality (Levin & McDevitt, 1993). Violent personal crimes motivated by bias are more likely to involve extraordinary levels of violence. Additionally, the empirical findings in studies of the emotional, psychological, and behavioral impact of hate crime are beginning to establish a solid pattern of more severe impact on bias crime victims, as compared with nonbias victims (see, e.g., Herek, Cogan, & Gillis, 2002; McDevitt et al., 2000).

When we move beyond the experiences of the immediate victim, we enter the realm of speculation. There has been very little scholarly discussion of the broader community impacts of hate crime (Lim, 2009; Noelle, 2002; Perry & Alvi, 2011), and none on the particular implications of this form of violence for cherished Canadian values. Our goal here, then, is to begin a dialogue about the ways in which hate crime challenges that most vaunted of Canadian myths: multiculturalism.

## Canadian Multiculturalism

Equally praised, criticized, and ridiculed, the mantra of multiculturalism has formed the basis for the Canadian proclamation of itself among the most diverse and inclusive countries among its peers. Beginning with a formal multiculturalism policy in 1971, and institutionalized in the *Canadian Multiculturalism Act* of 1988, this guiding principle has become a hallmark of Canadian identity. But that is not to say that it is unproblematic. It both constitutes and is constituted by a dynamic, shifting, and often ambiguous culture, so it too suffers from the same embedded flaws and limitations. Audrey Kobayashi (1999) highlights the inherently complex nature of the beast:

Canadian multiculturalism is an aspiration and an ideology, a national discourse and a personal project, a way of life and a structural framework. It is contested, transformative and transforming, a product of collective imagination and an ideal that fuels the imagination. The imaginative plane of multiculturalism is diverse, fragmented, complicated and extensive, and as a result often incoherent or incomprehensible. To a large extent this fragmented picture represents the contradictions that arise from a diverse society, in which ideological and cultural divisions, riven with unequal power relations, creates conflicts of interest and frustrates the postmodern dream of living harmoniously in our diversity. (p. 33)

In an attempt to capture the complexity and multidimensional nature of Canadian multiculturalism, Augie Fleras has crafted a heuristic model that portrays the notion as (a) an empirical fact, (b) an ideology, (c) a formal policy, (d) a set of practices, and (e) a critical discourse.

The rhetoric of multiculturalism emerged in the late 1960s and early 1970s, in the context of changing demographics in Canada, and as a means of learning to live with the resultant differences that were evolving. In this sense, it was a response to the recognition of the *empirical fact* of Canadian diversity. Like most Western nations, Canada had been host to the growth of new social movements which signaled the growing visibility of long marginalized and silenced voices: women, gay men and lesbians, religious minorities, as well as labor interests. Added to this were the rapid demographic changes provoked by 1960s immigration reform, which would forever change the nature of Canadian racial and ethnic relations.

Prior to the 1960s, Canada's immigration policy had largely excluded immigrants who did not hail from White European nations. With the legislative reforms came a sudden and dramatic influx of those who were "different." Consequently, Canada stands today as one of the most demographically diverse nations in the world. Consider that the 1901 Census documented only 25 different ethnic groups in Canada; by the 2006 Census, this number had leapt to over 200, with 11 such groups numbering more than 1 million members. Between 2001 and 2006 alone, Canada's visible minority population grew by nearly 30%. The year 2006 was also marked the period in which South Asians surpassed Chinese as the largest visible minority group, with Blacks ranking third. What is particularly interesting is that these visible minority groups are themselves ethnoculturally diverse. For instance, Black Canadians identified as Caribbean (52%), African (42.4%), British (11.6%), Canadian (10.9%), and French (4.1%; Statistics Canada, 2007). It is these features of a modern nation that multiculturalism is said to address.

The *ideology* of multiculturalism provides the conceptual framework for how these differences are to be managed. It conveys an idealized image of the preferred means by which we live and interact in this plural society. It is an ideology that values and encourages diversity and is usually associated with the liberal view that we be tolerant, nondiscriminatory, and respectful of others. Fleras and Elliott (2002) enumerate a series of catchphrases that capture the heart of this vision:

"Take differences seriously!" "Diversity within unity!" "(Multi)cultural relativism!" "Respect others!" "Active acceptance!" "Mosaic!" "Inclusiveness!" (p. 37)

Keep in mind that this statement of values reflects an ideal. However, it is a powerful discourse that promises inclusion while nonetheless preserving persistent patterns of exclusion. As such, the ideology of multiculturalism responds to the

strong pressure to conceal, evade and distort; if it did not do these things—that is, if (Canada) did not write its own national myths to paper over its cultural contradictions—it might well dissolve as a nation, and multiculturalism serves as such a myth. (Fleras & Elliott, 2002, p. 36)

Nonetheless, the ideology of multiculturalism has been institutionalized in public *policy*. It was adopted as official policy in Canada in 1971, that is, a policy of multiculturalism within a bilingual framework. This embodiment of then Prime Minister Pierre Trudeau's vision for Canada sought to

- assist diverse cultural groups to retain and nurture their identity
- assist diverse cultural groups to overcome barriers to full participation at all levels of Canadian society
- promote meaningful and constructive exchanges among these diverse cultural groups
- assist immigrants to become fluent in at least one official language (Ungerleider, 2006, p. 206).

While the Multiculturalism Act of 1988 is an explicit statement of principle, the tenets of multiculturalism have also been embedded in other policy venues, such as the Charter of Rights (1982) and the Employment Equity Act (1986), for example. Moreover, an array of federally funded programs in support of multiculturalism has also emerged. In 1984, a parliamentary committee report, *Equality Now*, called for not just statutes but also the establishment of a national research institute on multiculturalism and race relations issues—what would become the Canadian Race Relations Foundation. In addition, Canadian Heritage supports multicultural programs, such as heritage languages, support for multicultural councils, and ethnic programs. More recently, greater attention has been paid by the Multiculturalism Program of Canadian Heritage to issues related to civic participation and social justice.

Theoretically, multicultural *practice* would involve fair and equitable treatment of all, whether by individuals, groups, or institutions. Regardless of background, Canadian citizens, residents and visitors could expect to go about their days free from the threat of discrimination. And, after 30 or more years of official multiculturalism, there are signs of declining racism, sexism, and other forms of inequality. For the most part, key institutions—the labor force, the justice system, education, and so on—have all shown signs of greater awareness and attention to issues of inclusion and fairness. Compared with the 1970s, they are more responsive to and representative of the communities they serve in terms of both employment and service delivery. Nonetheless, there remains a deep divide between the ideology and the practice of multiculturalism. Progress has been intermittent and uneven, as it

intermingles with inertia to create a confusing picture that speaks volumes about the politics of putting principles into practice. In other words, institutions may have come a long way from an exclusionary past; nonetheless, they still have a long way to go before inclusion is a reality. (Fleras, 2010, p. 318)

So, for example, while more Aboriginal youth complete high school, they still lag far behind their peers; while same sex marriage has been legalized, members of LGBTQ communities still face ongoing harassment and victimization; and while women are

more likely to earn seven figure salaries, they are also more likely to live in poverty, especially if they are single mothers. Illustrative examples such as these highlight the limitations of the ideology of multiculturalism. They are indicators of the extent to which the rhetoric of inclusion trumps the reality of exclusion.

This is not to say that multiculturalism should then be rejected as a legitimate and progressive political project. It can be turned on its head to be exploited as a *critical discourse* or a transformative form of politics. Rather than reproducing current power relations, it would challenge them, working toward meaningful redistribution of power and resources (Fleras, 2010). Fleras characterizes traditional Canadian multiculturalism as an ideology and practice that depoliticizes diversity. From a more radical perspective, multicultural discourse can have the capacity to instead consciously politicize diversity, in a way that recognizes and empowers those who have long been excluded. It would name and challenge group difference, group privilege, and the ways in which existing relations of power perpetuate and shape these.

An immediately evident indicator of the challenges to the national myth of multiculturalism is hate crime, and its underlying prejudices and relations of power. Hate crime is, in many respects, a reaction to the “fact” of increasing diversity in Canada. Faced with dramatic shifts in the demographics of the nation, along with the increasingly strong voices of those long silenced, many Canadians fear loss of long-standing privilege and supremacy. One readily available mechanism by which to express their hostility is indeed hate crime. Thus, it is an exclusionary practice that counters the inclusive ideals of Canadian multiculturalism. Specifically, it is the realms of practice, ideology, and policy that hate crime—and official reactions to it—most directly calls into question the credibility of this overarching ideal. It is to a consideration of these issues that I now turn.

### *Practice: Hate Crime as a Human Rights Violation*

Earlier in the article, I argued that it is important to recognize both the individual and broader social effects of hate crime, in that bias-motivated violence causes disproportionate harm to its immediate and vicarious victims. However, even this conceptualization does not go far enough. It does not acknowledge the distinct way in which the harm is even more immediate, in fact inherent in the act. Hate crime is itself the distinct harm, to the extent that it constitutes a violation of human rights, a threat to human dignity and inclusion—the very values contained within the ideology of multiculturalism.

The Universal Declaration of Human Rights formalizes three tenets of global human rights: freedom, equality, and dignity. Kallen (2004) offers a succinct definition of each of these:

... the right of every human being to participate in the shaping of decisions affecting their own way of life and that of their society (freedom to decide); reasonable access to the economic resources that make that participation possible (equality/equity of opportunity); and affirmation of the essential human worth and dignity of every person, regardless of individual qualities and/or group membership (dignity of person). (p. 15)

Simply put, human rights are those rights that accrue to all people by virtue of their status as human beings. They speak to the inherent and inalienable right to claim human dignity, equally, regardless of group identity or membership or any other characteristic. Interestingly, these very elements are reflected in Trudeau's original vision of multiculturalism, to the extent that the earliest rhetoric and policies of the day embedded a commitment to equality of status, personal choice, and protection of personal rights (Fleras, 2010).

There are very clear ways in which hate crimes challenge victims' abilities to freely pursue these goals. According to a human rights framework, all humans have inherent dignity and worth. However, it is also the case that, in practice, dignity and worth come to be socially defined and constructed, arrayed along a continuum in which some members of society are seen to have less worth, such that both the dignity and presumed equality of subordinate groups are called into question. Hate crime undoubtedly plays a role in reinforcing these limitations. This is evident, for example, from the observations of one of my participants in a community impact study. This lesbian indicated that the effect is, in fact, to render her more uncertain about her place in society. The persistence of hate crime leaves her feeling somehow "less worthy" than the presumptive offender:

Whether they were directly or indirectly made towards me, in my opinion, these were hate crimes as they left me feeling lesser than the other person, as they were directed attacks on my self-esteem and confidence.

This sentiment is relatively common among immediate victims of hate crime. The fact that it is also a sentiment that emerges among vicarious victims speaks to the power of such violence to challenge the worth of whole communities. Ultimately, hate-motivated violence keeps the less worthy in their place and produces personal as well as collective insecurity and fear.

This leads us to consideration of the next constraint on human rights. Ashworth (Bunch, 1990, p. 490) observes that "the greatest restriction of liberty, dignity and movement, and at the same time, direct violation of the person is the threat and realisation of violence." This is the very intent of hate crime: to circumscribe the participation and actions of its victims. The very act of animus-based violence temporarily constrains its victims: they are at the mercy of their brutalizers, often physically unable to retaliate or escape. This is a function of one of the common empirical attributes of hate crime: it frequently involves multiple offenders assaulting one, perhaps two victims (Levin & McDevitt, 1990; Perry, 2001). There is always another pair of hands available to drag the victim down again.

It is also important, however, to consider the other ways in which hate crime threatens the liberty and mobility of victims. Many victims—and vicarious victims—are virtually paralyzed by the fear of additional assaults. For some, violence and the threat of violence limits their movements and their perceived options, resulting in withdrawal. A South Asian male asserts that, in the face of potential violence, "I will avoid certain areas. I will change my route. Try to be vigilant and run before I get hit." In this way

people of color, gay men and lesbians, and others deemed inferior are kept “in their place.” In short, hate crime has the intended effect of segregating and marginalizing its victims. Consider, for example, violence directed at those non-Whites who dare to cross the geographical—and often economic—boundaries to “invade” White neighborhoods. This can take the form of the “move-in” violence, wherein non-White encroachment on “White territory” is met with an array of discouraging behavior, ranging from verbal harassment and vandalism to cross-burning, to arson and murder (Green, Strolovitch, & Wong, 1998; Rubinowitz & Perry, 2002). Green et al. (1998) observe that

. . . acts of racial intimidation crime [can be traced] to perpetrators’ desire to preserve racially homogeneous residential areas and the ways of life that residents associate with them. The admixture of outright racism, nostalgia, and self-interest that contributes to this desire doubtless varies, but the conjunction of this exclusionary sentiment and the tacit support (or active encouragement) of neighbors leads to a heightened propensity for action when racial homogeneity is threatened. (p. 397)

For too many minority group members, the perception, if not the reality of what awaits them in public places has its intended effect of keeping people in their place. The hostility, harassment, and violence experienced “out there” produces what Wachtel (1999, p. 221) characterizes as “voluntary segregation,” wherein those subject to the discriminatory and hateful patterns of behavior may choose to return or simply remain in the relative safety of their homes, their neighborhoods, or their communities in a way that reflects constrained mobility options, and thus participatory opportunities across the full spectrum.

Thus, hate crime threatens the liberty and mobility of victims. As noted above, many victims—and vicarious victims—are virtually paralyzed by the fear of additional assaults. At the very least, it limits their desire to interact with others, such that they may choose to limit interactions with those “like” their perpetrators. For others, violence and the threat of violence limits their movements and their perceived options, resulting in withdrawal. As one gay male expressed it,

That’s why, like, where I live, right, I don’t leave my yard; and even when I leave now, like, I’ll leave on my bike; that’s the only way I leave my yard or if I am in a vehicle, and, um, I’m constantly thinking and looking that somebody is going to come running and push me because of, ah, my illness and sexuality. So, and then what’s happened with the girls [assault on lesbian couple] just increased that.

In light of the potential for exclusionary violence, this “choice” to stay close to home is not a voluntary one, but the “safe” one. Rather than risk the threat of being forcibly removed from public places, many victims and potential victims opt to retreat to “their own” homes, stores, bars, restaurants, or workplaces. Violence reinforces the boundaries—social and geographical—across which they are not meant to step. These violent reminders contribute to ongoing withdrawal and isolation; in short, racial violence furthers historical patterns of segregation, thereby violating Canadian ideals and standards of equity and inclusion.



### *Ideology: Questioning Our Commitment to Inclusivity*

Cumulatively, these tears in the fabric of Canadian multiculturalism have implications for the credibility of the underlying ideological position. The persistence—and in fact periodic flurries—of hate crime gives lie to the canon of multiculturalism. The shock and incomprehension expressed by participants in a recent study are also symptomatic of a loss of innocence with respect to Canadian values, for the shock was consistently a reflection of shattered illusions. Illustrative comments like the following have been common across the studies that I have conducted:

This is a crime. I feel very sad for Jim, but also I feel a sadness for the state of a community where people feel it is appropriate to harass someone because of their orientation.

The hurt is strong as in Canada we are supposed to live in society without fear of attack.

I was recently at an LGBT community meeting where I heard about a trans-person who had been physically assaulted in the Durham Region. I was shocked and disappointed as I like to think society is farther developed than that.

Such sentiments highlight the fragility of the mantra of multiculturalism. If we peer more closely at the ideological underpinnings of Trudeau's vision of Canadian multiculturalism, this becomes even clearer. The central "myths" of that construct were that related policies and practices would ensure that "diverse cultural groups" could

- retain and nurture their identity
- overcome barriers to full participation at all levels of Canadian society
- engage in meaningful and constructive exchanges (Ungerleider, 2006, p. 206).

These key elements of the discourse of multiculturalism in Canada form the core of our ideological understanding of our nation. Indeed, as Canadians, we pride ourselves on our commitment to welcoming all; internationally, we have long been recognized as a "successful" model for negotiating difference. Yet they are precisely the myths that are so forcefully contradicted by hate crime. The underlying ethos is not necessarily the daily reality for vulnerable communities who both experience and fear violence motivated by ideals in direct contrast to those embedded in the national mantra. The messages of inclusion, participation, and engagement are matched by their mirror images in the acts of violence inspired by racism, heterosexism, and other related "isms." It should be noted that in this, Canada is not unique. Writing of the Australian paradox, Chris Cunneen (1997, p. 138) highlights the irony wherein "a liberal democracy, with its commitment to anti-discrimination, simultaneously functions within an institutional framework which can be described as having pervasive racism." The cultural, social, and political mood in Western nations like Canada and Australia uneasily supports both a disabling and enabling environment for hate.

I discussed in the previous section the ways in which hate crime violates the principle of participation. Rather than rehashing those arguments, I turn here to the ways in which hate crime denies communities the ability to freely express their identities. Faced with the normativity of fear-inducing violence, members of vulnerable communities learn to negotiate their safety (Mason, 2009) often through changes in behavioral patterns. In the community impacts study and another on antigay violence, participants expressed the necessity to alter their performance of identity in accordance with what they recognized as the socially established rules for “doing difference.” They reported changing routine activities, habits, and ways of being in the world: “Even if you ran to escape they still chased after you. I then knew to travel/move in packs with friends. Never walk alone, bring reinforcements/witnesses and cell phone” (Gay male). In this respect, the potential for bias-motivated violence serves its intended purpose of enforcing appropriate public performances at the very least.

Nowhere were these behavioral impacts stronger than with respect to decisions of LGBTQ individuals to reveal their sexual orientation to others. A gay male states it succinctly: “I have tried to look ‘less gay.’” A lesbian shares similar sentiments: “I constantly challenge homophobic/heterosexist comments or ideals. I sometimes dress more feminine than I’d like, just to break down stereotypes. I’m often perceived as being ‘straight’ because of this.” Both comments reflect the extent to which the fear of crime results in a careful crafting of one’s identity, such that they are less visible, and thus less vulnerable. Such statements also vividly demonstrate how many LGBTQ participants modify their behavior and alter the way they express themselves to conceal their sexual orientation and thus decrease the possibility of victimization. Indeed, like prior research on the effects of anti-LGBT (lesbian, gay, bisexual, and transgender) hate crime on direct victims, as well as Noelle’s (2002) study on the “ripple effect” that anti-LGBT hate violence has on members of the LGBT community, such observations highlight the ways in which hate violence can provoke nonvictims to engage in avoidance strategies that may ultimately affect self-expression.

Likewise, in the current context of heightened Islamophobia, many Muslims are challenged by the risk of violence. This is particularly true for those who are “visibly” Muslim by virtue of their dress or appearance. This means that Muslim women who are covered have become especially vulnerable to Islamophobic violence. For example, an Australian Community Relations Commission (Dreher, 2005) on post-9/11 experiences of Muslims found that 50.4% of the victims were female, whereas only 44.4% were male (the remainder were institutions/buildings). Other similar reports out of Australia confirm this trend, as do some coming out of the United Kingdom. Githens-Mazer and Lambert’s (2010) London study also discovered that while racist violence typically targets men, Muslim women are more vulnerable to religiously motivated hate crime.

Consequently, managing their own safety—and thus their identities—has become crucial for Muslim women. It is not uncommon for Muslim women to change activities, habits, and ways of being in the world. Significantly, recognizing the visibility represented by the *hijab*, many women have come to question their choice to be covered. One young Muslim woman provides her assessment of the impacts:

It makes women more reluctant to wear the hijab or to stand out in that sense. Because they're afraid of what might happen to them if they were to become a visible Muslim. And if they were to wear the hijab. So I see a lot of people say, "the reason I don't wear is because I'm afraid. I'm afraid of what people might think. I'm afraid of what people might do. So I keep it to myself."

In this respect, the potential for anti-Muslim violence serves its intended purpose of enforcing appropriate public performances at the very least. Sadly, the risk of victimization often means that women are forced to prioritize their safety over their expression of identity and over their independence.

Finally, the very act of hate crime is the epitome of destructive, rather than "constructive exchanges" across groups. Bias-motivated violence is an indicator of underlying social and cultural tensions. Hate crime can be a key point of contact in the negotiation of place and belonging. Indeed, I have long argued that hate crime is a crucial mechanism for the dance of power; it is an unequal exchange, whereby the intent is to dominate and exclude, rather than to build positive connections. Indeed, hate crime is explicitly meant to transmit a key message that victims are not worthy of belonging.

Importantly, then, hate crime is also intended to manage not just the behavior of particular individuals, but all members of their community. Without question, awareness of the potential for hate crime enhances the sense of vulnerability and fearfulness of affected communities. This, after all, is the consequence of hate crime—to intimidate and instill fear in the whole of the targeted community, not just the immediate victim. Interestingly, when asked to define hate crime, many participants explicitly acknowledged the nature of these "message crimes":

Hate crimes occur because people have learned to dislike difference. They occur because people want to feel superior to and have power over others. They are probably more likely to be committed by groups of young people who are looking to act out. They are meant to scare everyone, not just the victim. (Asian female)

A "hate crime" is the act of causing personal or property damage with intent to intimidate because of a person's religious or sexual beliefs. It is meant to send a message of intolerance against the "selected" group and to leave a message of fear. It is also meant to send a message that those targeted are not safe because of their belief. (Muslim female)

For many, the message is received loud and clear; they do feel themselves to be equally vulnerable to victimization, and thus, fearful. On reading a scenario describing a hypothetical hate crime, an Asian male observed "I feel for Jim—his safety and well-being. I also think that could've been anyone else leaving that meeting and that we all are vulnerable." This example highlights one of the key characteristics of hate crime that makes it so terrifying: its apparent randomness. As many hate crime scholars have observed, victims are often interchangeable (Levin & McDevitt, 1993; Lim, 2009). The chosen victim simply represents the Other in generic terms. That he or she is a member of the hated or demonized group is enough to leave them vulnerable to attack. Further knowledge of their identity, personality, or status is unnecessary.

In short, hate crime is a form of “intercultural exchange,” but one which purposely increases the distance between communities rather than bridging that distance.

### *Policy: Failure to Protect*

What recourse do communities have when faced with systematic patterns of bias-motivated violence? With respect to hate crime specifically, Canada offers limited statutory protections. In contrast to the breadth of U.S. legislative initiatives, Canada has relatively few statutory tools with which to confront hate crime. In 1970, Criminal Code amendments recognized as criminal offences promotion of genocide (S.318), public incitement of hatred likely to lead to breach of the peace (319.1), and willful promotion of hatred (S.319.2) when directed against specified “identifiable groups.” In 2001, a bias-motivated mischief provision was added (S.430.4.1). Somewhat distinct from these provisions is S.718.2, a sentence enhancement statute. However, use of these provisions is rare. For example, between 2001 and 2006, 80 charges were laid against 46 individuals under S.319.2; seven of these resulted in convictions. Invocation of the sentencing enhancement provision has been similarly rare.

The explanation for the rarity of hate crime prosecutions arises from constraints in two key areas: prosecutorial and police decision making. Prosecutors face a difficult tension in balancing “hatred” against free speech protections, and find it exceedingly difficult to “prove” motive. Additionally, prosecutors rely on decisions made by police who have tremendous discretion in whether to report or investigate an incident. There is ample scholarly evidence to suggest that police are hesitant to do either.

Underenforcement of even the weak policies that do exist leave communities feeling like “an unequal or less worthy member of society” to the extent that these processes are perceived as “humiliating, dehumanizing and painful” (Ontario Human Rights Commission, 2003, p. 30). When police fail to take seriously their victimization, vulnerable communities are reminded that they are not privy to standard protections of the law. Those affected—directly or indirectly—by these events feel that their rights are somehow less secure than their White counterparts. Disparate police action, then, reinforces their sense of social and political marginality, according to which victims are made to feel like second class citizens, as noted by one participant in my community impacts study: “That ah, the laws need to be changed and we need, we need to be, ah, protected. That we are second class citizens or whatever, like, you know.” Consequently, victims’ sense of being a valued part of Canadian society is dramatically curtailed. Rather than seeing themselves as embedded in the polity and culture of the nation, affected communities come to see themselves as outside the boundaries of citizenship and its attendant rights. Again, this throws Canada’s presumed commitment to equality and fundamental rights into question. This has significant implications for one’s sense of belonging, and especially for one’s faith in Canadian values of equity and multiculturalism. Several participants across my studies have highlighted the impact of the lack of police response:

Some of my friends were having a party. The police showed up. Once they realized most of the men were gay the police began telling they should do pushups and other “manly” things along those lines. They also started referring to my transgendered friend as “it.” When I heard about this I was furious. My friends did nothing because they were afraid. (Gay male)

There has to be change in the way the law enforcement officials view a hate crime and what a hate crime is. When our house was destroyed with Anti-Semitic slogans everywhere and a Swastika on the front door, we were almost immediately informed by a law enforcement person that it wasn’t a hate crime. There has to be changes to legislation and perhaps some sensitivity training for the people who deal with victims of these kinds of acts. The law enforcement person quoted the Criminal Code and seemed aggressive and bothered. He was extremely unsympathetic and more argumentative. He was very upset the media were on the story. He added an unnecessary level of hurt. He was doing his job, but didn’t seem to understand or care about the gravity of the situation to the victims. A hate crime is hideous and those affected need support not conflict. (Jewish male)

A sense of belonging is crucial to social inclusion. Yet people of color, members of religious minority groups, and members of the LGBT communities, for example, are frequently reminded by bearers of state power that they do not warrant the same recognition or protections as their White counterparts. The sense of alienation emanating from this exclusion can be debilitating to the extent that it has the potential to promote withdrawal from engagement with the broader society, in that “persons who do not feel valued in society cannot contribute or participate to their full potential” (Ontario Human Rights Commission, 2003, p. 34).

The participants that have been involved in my studies realize that they remain outsiders in the eyes of perpetrators, and those who sit idly by—including law enforcement and policy makers. This, then, underscores the limitations of Canadian multiculturalism in the real world. It suggests that, in many respects, it is window dressing only, empty rhetoric that is not actualized at the frontline. Even in the face of legislation, programs and policies aimed at ensuring equity and inclusion, little has changed within the racist, homophobic, and otherwise ethnocentric ethos that prevails on the street. Trickle-down theory does not apply here. There are those who do not want to “play nicely with others,” alongside those who do not want to enforce the rules of the game. Together, these will continue to belie the rhetorical insistence on “tolerance” and “inclusivity.”

## **Conclusion: Resistance as Critical Discourse**

It is apparent from the observations shared here that hate crime has the effects intended by perpetrators: it instills fear and a sense of vulnerability. It also has dramatic consequences for communities’ sense of belonging and their illusions of Canada’s reputation for tolerance and inclusivity. Thus, the question arises—does the persistence of hate crime mean that multiculturalism is a “failure”? Indeed, the philosophy and

practice of multiculturalism have been under attack, especially in Europe for some time now. There, the dominant narrative in such nations as the Netherlands, Germany, and the United Kingdom is that it has been tried, and it has in fact failed. Will Kymlicka (2010, p. 12), a foremost Canadian scholar in the field summarizes the array of evils for which multiculturalism has been blamed:

- the residential ghettoization and social isolation of immigrants (Cantle Report 2001);
- increased stereotyping, and hence prejudice and discrimination between ethnic groups (Sniderman and Hagendoorn 2007);
- political radicalism, particularly among Muslim youth;
- the perpetuation of illiberal practices among immigrant groups, often involving restricting the rights and liberties of girls and women (Wikan 2002).

Kymlicka (2010) questions the validity of these assertions in the Canadian context. He suggests that the evidence that they apply here, or that they can be linked to multicultural policies and practices is meagre. Similarly, in spite of the persistence of hate crime, I would like to argue that it does not necessarily herald the demise of multiculturalism. Hate crime also appears to have some unexpected, or heretofore unexplored constructive consequences as well. It is intriguing that so many people expressed disbelief, shock, and anger when thinking about hate crime. This suggests that they remain committed to all that the ideology of multiculturalism seems to offer. More significantly, there is consistently, across multiple studies that I have conducted, a demonstrated willingness on the part of participants to react constructively and to use the “fact” of hate crime as a call to engage with multiculturalism as a *critical discourse* as described by Fleras (2010). That is, while anger and resentment are understandable, the converse is also possible. That is, the objects of hate violence can and do develop constructive alternatives to the prejudice and violence that confronts them. One First Nations male indicated that hate can be unlearned.

I think it is learned. It is learned partly in our educational system, it is learned in the home and is learned through the media culture. I would suggest that the only good news is that hate can be unlearned.

Whether individually or collectively, there is value in challenging hate crime and the biases that inform it. There were participants who were relatively optimistic about the potential for change, and who suggested progressive strategies for harnessing the energy of vibrant communities to counteract both the potential for and the impact of hate crime. For example, “This story makes me want to help educate people so that future generations will be more accepting and less afraid. Education is the key to eliminating irrational fears.” Indeed, earlier, we noted that respondents claimed to have changed their patterns of behavior in order to avoid victimization. One constructive behavioral shift noted by many was that they felt inspired to react at an individual and/or collective level:

In an attempt to promote gay rights and tolerance I donate money to EGALÉ, join protests, have written in local newspapers, questioned charitable/social agencies with regards to their policies and resources for dealing with LGBT community clients. In the scenario above I would help to ensure factual media coverage of the event to shed light on the issue of homophobia/gay bashing—perhaps work with a neighbourhood community group to deal with the issue. (Gay male)

This kind of story fills me with a lot of emotions. Mainly, reading a story like this further motivates me to confront discrimination and heterosexism. I do not have any ideas for action on a grand scale, however I would discuss the incident with as many people as possible to get them thinking about the issues facing the gay community. (Lesbian)

It is these sorts of reactions to the normativity of violence that will ultimately present the greatest defense. To use the moment of victimization to confront and challenge oppression speaks volumes. In particular, it says to the perpetrator that affected communities refuse to “stay in their place,” but will instead fight for a reconstructed definition of what that place is. Moreover, such resistance also sends a powerful message of strength and solidarity to the communities themselves, as well as reaffirming their commitment to the ideals of multiculturalism.

The narratives presented here confirm Lim’s (2009, p. 119) observation that, among vulnerable communities, the potential for hate crime “permeates the minds, is anticipated, and is carefully managed.” We have seen how awareness of the violence affecting targeted communities instills fear and trepidation, how it is deemed normative, and how it then affects mobility and identity expression. Yet we have also seen how the anger and frustration evoked by such violence can also motivate individuals to action. Even from a victim’s perspective, then, while hate crime certainly challenges the mantra of multiculturalism, it can simultaneously invoke reactions geared toward strengthening its underpinnings. I close, then, with a lengthy shopping list of strategies for countering the deleterious effects as offered by an Aboriginal participant in one of my studies:

More information sharing is needed. In all communities. Networking. Speaking out. Affirmative action. Being proactive. The province of Ontario and federal gov’t [sic] need to enforce all human rights issues. More participation of the business community/corporations need [sic] to finance advertising/meetings/seminars/conferences to show support. Pharmaceutical companies need to get involved. The law/police/courts must be participants municipal, provincially and federally. Education. Education. Education. We need to upgrade and go electronic to get our message out. U.N. Declaration of human rights need to reinforce its effectiveness. Churches need to get involved. Aboriginal communities need to become invited to participate. Wherever people gather in a public place, these human rights and regulations need more advocacy and transparency and action.

### *Chronology of Canadian Policies Related to Multiculturalism*

- 1947 Passage of the first ever *Canadian Citizenship Act*
- 1960 Passage of the Canadian Bill of Rights

- 1963 Establishment of the Royal Commission on Bilingualism and Biculturalism
- 1969 Book IV of the Bilingualism and Biculturalism Commission Report emphasizes the bilingual and multicultural nature of Canada
- 1969 Introduction of the Official Languages Act
- 1971 Introduction of Canada's Multiculturalism Policy
- 1977 Passage of the *Canadian Human Rights Act*
- 1982 Adoption of the *Canadian Charter of Rights and Freedoms*
- 1984 Special Parliamentary Committee Report, Equality Now, calls for a Multiculturalism Act and establishment of a national research institute on multiculturalism and race relations issues
- 1986 Passage by Parliament of the *Employment Equity Act*
- 1988 Passage of the *Canadian Multiculturalism Act*
- 1996 Government establishes the Canadian Race Relations Foundation
- 1997 Renewed Multiculturalism Program announced

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## Author Biography

**Barbara Perry** is a Professor in the Faculty of Social Science and Humanities at the University of Ontario Institute of Technology. She has written extensively on hate crime, including several books on the topic, among them, *In the Name of Hate: Understanding Hate Crime*; and *Hate*

*and Bias Crime: A Reader*. She has also published in the area of Native American victimization and social control, including one book entitled *The Silent Victims: Native American Victims of Hate Crime*. She is the General Editor of a five volume set on hate crime (Praeger), and editor of *Volume 3: Victims of Hate Crime* of that set. Dr. Perry continues to work in the area of hate crime, and has begun to make contributions to the limited scholarship on hate crime in Canada. Most recently, she has contributed to a scholarly understanding of anti-Muslim violence, hate crime against LGBTQ communities, and the community impacts of hate crime.