

# Book Notes: Canada's Rights Revolution: Social Movements and Social Change, 1937-82, by Dominique Clement

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## Book Note

### CANADA'S RIGHTS REVOLUTION: SOCIAL MOVEMENTS AND SOCIAL CHANGE, 1937-82, by Dominique Clément<sup>1</sup>

CATHERINE HEALY-VARLEY

CANADA MAY HAVE EMERGED as a “veritable human rights state”<sup>2</sup> with the introduction of the *Charter of Rights and Freedoms*, Dominique Clément submits, but that document was plainly the culmination of several decades of human rights and civil liberties advocacy. *Canada's Rights Revolution: Social Movements and Social Change, 1937-82* examines the history of the human rights movement in Canada to determine why and how the changes that took place amounted to a revolution.

Clément's study begins with an overview of the terms that he uses in his analysis. Most significant is the critical distinction that he draws between civil liberties advocacy, which is staunchly devoted to challenging state abuse against the individual and, thus, focussed primarily on negative rights, and a broader human rights advocacy, which extends its mandate beyond such legal and political rights as censorship and discrimination laws to include the promotion of positive claims in social, economic, and cultural realms.

The advocacy of the 1930s and 40s was exclusively oriented to enshrining negative rights. The movement during the 1960s and 70s, however, was ideologically divided between those who would broaden the scope of rights advocacy and those who chose to effect change from within the system, with its newly developed rights-protection infrastructure.<sup>3</sup>

After providing a history of the earlier generation of advocates and the events that motivated their organizing efforts, including an account of the response to Quebec's controversial *Padlock Act*, which led to the formation of the Canadian

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1. (Vancouver: UBC Press, 2008) 281 pages.

2. *Ibid.* at 25.

3. *Ibid.*

Civil Liberties Union, Clément directs the majority of the book to examining the professional Social Movement Organization (SMO) phenomenon of the 1960s and 70s. In particular, he looks at the subset of rights organizations, from which four prominent groups are featured: the British Columbia Civil Liberties Association (BCCLA), La Ligue des droits de l'homme (LDH), the Canadian Civil Liberties Association (CCLA), and the Newfoundland-Labrador Human Rights Association (NLHRA).

With an extensive use of archives and interviews, Clément traces the histories of these organizations, their organizational and ideological differences (particularly their stances on state funding), the relationships between them and their failure to create a national movement, and their strategies for effecting change. He argues that these organizations directed their efforts to legislative reform within established methods of lobbying, even when, especially in the case of the LDH and the NLHRA, this conservative approach seemed to sell short their more extensive vision of human rights.

In the Introduction, Clément poses the question: "To what degree can rights discourse promote social change?"<sup>4</sup> His ultimate answer is sceptical. Real social change must address the systemic causes of inequality and injustice. Organizations that have sought to reform the system, rather than revolutionize the very "substate" structures that have given rise to the system, have "hobbled their ability to achieve their own goals."<sup>5</sup> Nevertheless, Canada has undergone a rights revolution and the SMOs have been a central feature of the shift, if not its main instigators.

*Canada's Rights Revolution* offers a comprehensive study in pre-*Charter* human rights activism that will be useful for anyone seeking information about the development of rights culture in Canada.

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4. *Ibid.* at 5.

5. *Ibid.* at 211.