

# Generations and the Transformation of Social Movements in Postwar Canada

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*Historians, particularly in Canada, have yet to make a significant contribution to the study of contemporary social movements. State funding, ideological conflict, and demographic change had a critical impact on social movements in Canada in the 1960s and 1970s, as this case study of the Ligue des droits de l'homme (Montreal) shows. These developments distinguished the first (1930s–1950s) from the second (1960s–1980s) generation of rights associations in Canada. Generational change was especially pronounced within the Ligue. The demographic wave led by the baby boomers and the social, economic, and political contexts of the period had a profound impact on social movements, extending from the first- and second-generation rights associations to the larger context including movements led by women, Aboriginals, gays and lesbians, African Canadians, the New Left, and others.*

*Les historiens, en particulier au Canada, ont peu contribué à ce jour à l'étude des mouvements sociaux contemporains. Le financement par l'État, les conflits idéologiques et les changements démographiques ont eu un impact décisif sur les mouvements sociaux au Canada lors des années 1960 et 1970, comme le montre la présente étude de cas sur la Ligue des droits de l'homme (Montréal). Ces développements ont distingué les associations de défense des droits de la première génération (années 1930 aux années 1950) de ceux de la deuxième génération (années 1960 aux années 1980) au Canada. Le changement générationnel a été particulièrement marqué au sein de la Ligue. La vague démographique poussée par les enfants de l'après-guerre et la conjoncture sociale, économique et politique de l'époque ont eu de profondes répercussions sur les mouvements sociaux, déferlant tant sur les associations de défense des droits de la première et de la deuxième générations que, dans un contexte plus large, sur les mouvements dirigés par les femmes, les autochtones, les gais et lesbiennes, les Afro-Canadiens, la nouvelle gauche et les autres.*

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CLAUDE FORGET resigned as president of the *Ligue des droits de l'homme* (LDH) in Montreal in 1969. It was not a happy parting. Forget accused the LDH of failing to accomplish anything substantial since its founding in 1963. The LDH, according to Forget, was composed of dilettantes and elites who had never been victimized themselves; it was an “anachronism failing to function properly.”<sup>1</sup> With limited funds and a handful of dedicated volunteers, the LDH was capable of only a few minor accomplishments. A decade later, however, as the Liberal Minister of Social Affairs in Quebec, Forget would find himself clashing with a very different LDH. A revolution of sorts had taken place within the confines of Quebec’s leading human rights organization. An association dedicated to the preservation of civil and political rights, with a restricted membership employing elite tactics for social change, was transformed into a grass-roots organization dedicated to social, economic, and cultural rights with a mandate to promote a “société de participation.”

It would be difficult to understate the remarkable transformation in Canada’s social movement landscape in the few decades following the end of the Second World War. At the very least, the surging participation of people in various social movements remains, to this day, a historically unique phenomenon. Perhaps more fundamental, however, was the transformation in social movement dynamics. New strategies for social change, innovations in organization, demographic change, and a host of new grievances defined this era of social activism. “The social movements of the 1960s,” says Miriam Smith, “were successful in placing new issues on the agenda of both polity and society and reflected a number of important sociological changes in family structure, the decline of both Protestant and Catholic church influence (especially in Quebec), increasing female labour force participation, the expansion of higher education, the increasingly multicultural and multiracial character of Canadian society, and the gradual shift to post-industrialism capitalism.”<sup>2</sup>

Historians, particularly in Canada, have yet to make a significant contribution to the study of contemporary social movements. This is unfortunate because historians are ideally situated to offer a broad, long-term empirical analysis of the dynamics of these movements. Several critical developments after the Second World War represented a rupture with social movements of the past. The transformations that occurred during this period were especially pronounced within the human rights movement, and the *Ligue des droits de l'homme* is a useful point of departure for the discussion of

1 Université du Québec à Montréal [hereafter UQAM], Service des archives et de gestion des documents [hereafter SAGD], Fond Ligue des droits et libertés [hereafter LDL], 24P1/5, Minutes of the Administrative Council, March 13, 1969.

2 Miriam Smith, *A Civil Society? Collective Actors in Canadian Political Life* (Peterborough, ON: Broadview Press, 2005), p. 70.

these developments. Some of the issues examined here include changing demographics, notably the impact of youth and French Canadians on social movements; the emergence of an increasingly wealthy and educated middle class; new visions or ideologies for social change; and the impact of state funding on mobilization. A confluence of social, political, and economic factors during this period, of which the emergence of a large cohort of urban, middle-class youth (the “baby-boomers”) was one, combined to inaugurate a new era for social movements.

### **Social Movement Organizations**

*Time* magazine declared the Man of the Year for 1966 to be “The Younger Generation”: “Never have the young been so assertive or so articulate, so well educated or so worldly. Predictably, they are a highly independent breed, and — to adult eyes — their independence has made them highly unpredictable. This is not just a new generation, but a new kind of generation.”<sup>3</sup> What, precisely, defined this new generation, and what kind of impact it was going to have, the magazine’s editors could not say, but they were convinced that its effects could not be ignored.

There is no doubt that a period of fervent social movement activism unfolded after the Second World War and that youth participated in these movements in large numbers. One area, in particular, in which youth played an important role was the proliferation of social movement organizations (SMOs). Whereas a social movement is “a set of opinions and beliefs in a population representing preferences for changing some elements of the social structure or reward distribution, or both, of a society,” a social movement organization is “a complex, or formal, organization that identifies its goals with the preferences of a social movement and attempts to implement these goals.”<sup>4</sup>

SMOs were a nexus for mobilizing resources and expressing grievances arising from a social movement. An SMO is not, in itself, a movement, but an SMO and a movement’s adherents form a crucial dynamic. As Jackie Smith suggests, SMOs are “carriers of movement ideas, cultures and skills. . . . By understanding their structures and discourses we can gain insight into broader social movement dynamics and capabilities.”<sup>5</sup> Suzanne

3 *Time*, January 7, 1966.

4 Mayer N. Zald and John D. McCarthy, “Resource Mobilization and Social Movements: A Partial Theory,” in Mayer N. Zald and John D. McCarthy, eds., *Social Movements in an Organizational Society* (New Brunswick, NJ: Transaction Publishers, 1987), p. 20. An SMO is not an interest group. As Miriam Smith notes, “interest groups are often distinguished from social movements in that social movements seek to transform social and political values or seek sweeping political change, while interest groups are more narrowly focused on obtaining selective benefits from the state” (*A Civil Society?*, p. 11).

5 Jackie Smith, “Globalization and Transnational Social Movement Organizations” in Gerald F. Davis, Doug McAdam, W. Richard Scott, and Mayer N. Zald, eds., *Social Movements and Organization*

Staggenborg expresses a similar sentiment in her recent textbook on social movements: “Movement organizations and coalitions of organizations are typically the main organizers of movement campaigns, which are important to the growth of movements and their ability to bring about change.”<sup>6</sup> Obviously, SMOs existed before the 1960s and 1970s, but the structural conditions of this period, from the booming economy to new educational opportunities, facilitated the emergence of an unprecedented number.<sup>7</sup>

The proliferation of SMOs in Canada in the sixties and seventies was astounding. The student movement and the New Left peaked in the 1960s; the number of women’s groups in British Columbia increased from two in 1969 to over 100 in 1974; the first gay rights organizations were formed in Vancouver and Toronto, and a national association was instigated in 1975; and the founding of Greenpeace in Vancouver in 1971 symbolized the birth of the modern environmental movement.<sup>8</sup> The federal government’s ban on Aboriginal political organizing for land claims, instituted in 1927, was removed in 1951, and within a decade the Aboriginal rights movement began to flourish. Four national Aboriginal associations and 33 provincial organizations were born in the 1960s; the first Aboriginal friendship centre opened its doors in Winnipeg in 1959, and others soon appeared in every major city in the country.<sup>9</sup>

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*Theory* (New York: Cambridge University Press, 2005). Social movement organizations also play a key role in fostering and maintaining cycles of protest at the grass-roots level. See Deborah C. Minkoff, “The Sequencing of Social Movements,” *American Sociological Review*, vol. 62, no. 5 (1997), pp. 779–799; Aldon Morris, “Black Southern Student Sit-in Movement: An Analysis of Internal Organization,” *American Sociological Review*, vol. 46, no. 6 (1981), pp. 744–767.

6 Staggenborg also suggests that “the distinction between a social movement and a social movement organization is important because major social movements typically include multiple organizations, and internal organizational dynamics and inter-organizational alliances are critical to movement strategies and outcomes.” Suzanne Staggenborg, *Social Movements* (Toronto: Oxford University Press, 2007), pp. 6, 32.

7 “[W]e do not believe that the existence of professional social movements is a new phenomenon; such an organizational form has existed in the past. It is the widespread nature of the phenomenon that characterizes the modern era.” Mayer N. Zald, “The Trend of Social Movements in America” in Louis Kriesberg and Bronislaw Misztal, eds., *Research in Social Movements: Social Movements as a Factor of Change in the Contemporary World, Vol. 10* (Greenwich: Jai Press, 1988), p. 375. “Many have pointed to the large-scale changes such as the economic booms taking place in many Western countries, shifts in capitalism based on technological advances, and the dramatic expansion of higher education, which helped to nourish a youth culture” (Staggenborg, *Social Movements*, p. 44).

8 For an overview of SMOs during this period, refer to Dominique Clément, *Canada’s Rights Revolution: Social Movements and Social Change, 1937–1982* (Vancouver: University of British Columbia Press, 2008), pp. 29–33.

9 Howard Ramos argues that the 1960s was a watershed for the Aboriginal rights movement. State funding, new political opportunities, and the emergence of a Pan-Aboriginal identity facilitated Aboriginal mobilization. Moreover, “formally organized contention, representing a broad range of Aboriginal interests, was the exception rather than the norm during the 1950s.” Howard Ramos, “What Causes Canadian Aboriginal Protest? Examining Resources, Opportunities and Identity,

African-Canadian SMOs spread across the country, while advocates for children's rights, prisoners' rights, animal rights, peace, poverty, and official languages organized in unprecedented numbers. By the mid-1980s, the federal Secretary of State was providing funding to over 3,500 SMOs.<sup>10</sup>

The number of rights associations such as the *Ligue des droits de l'homme* also expanded during this period. Rights associations are self-identified "civil liberties" or "human rights" associations that do not claim to speak on behalf of a specific constituency but rather to defend the rights of all citizens (for example, the Canadian Civil Liberties Association or Saskatchewan Human Rights Association). By the mid-1970s more than 40 new rights associations were active in Canada.<sup>11</sup>

Youth and childhood, as Jean-Philippe Warren notes in his recent book *Une douce anarchie. Les années 68 au Québec*, was entering a new phase in the 1960s. More than half the population of North America was under 25 years old in 1960. Adulthood was increasingly delayed due, in part, to new educational opportunities: education no longer ended abruptly for most middle-class Canadians after primary school; secondary school became mandatory; and people stampeded to enrol in colleges and universities.<sup>12</sup> In this context, youth played an important role in the expansion of SMOs. Youth spearheaded the student movement with the formation of the Combined University Campaign for Nuclear Disarmament, the Student Union for Peace Action, the Company of Young Canadians, and the *Union général des étudiants québécois* (UGEQ).<sup>13</sup> A group of young women in Vancouver and Toronto, disgusted at the rampant sexism among student radicals, formed the first women's liberation groups in Canada.<sup>14</sup> Many of the first gay and lesbian groups epitomized the generational gap.<sup>15</sup> Becki Ross notes in her history of the Lesbian

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1951–2000," *Canadian Journal of Sociology*, vol. 31, no. 2 (2006), pp. 211–239, and "Aboriginal Protest" in Staggenborg, ed., *Social Movements*, p. 59.

10 Leslie Pal, *Interests of State: The Politics of Language, Multiculturalism, and Feminism in Canada* (Montreal and Kingston: McGill-Queen's University Press, 1993), p. 14.

11 Clément, *Canada's Rights Revolution*.

12 Jean-Philippe Warren, *Une douce anarchie. Les années 68 au Québec* (Montreal: Boréal, 2008), p. 26.

13 These are only a few of the many student organizations formed during this period. In Quebec, for instance, alongside the UGEQ was the *Mouvement étudiant québécois*, *Jeunesse révolutionnaire québécois*, Committee for an Independent Socialist Quebec, *Patriotes québécois*, and *Intellectuels et ouvriers patriotes du Québec* (Warren, *Une double anarchie*, p. 231).

14 *The Peak*, vol. 9, no.11, July 3, 1968. As Naomi Black suggests, women's liberation "brought into Canadian feminism for the first time a large infusion of younger women, students or ex-students." Naomi Black, "The Canadian Women's Movement: The Second Wave" in Sandra Burt, Lorraine Code, and Lindsay Dorney, eds., *Changing Patterns: Women in Canada* (Toronto: McClelland & Stewart, 1993), p. 83.

15 Becki Ross describes the membership of the Lesbian Organization of Toronto as "small friendship circles of largely young, white, middle-class lesbian feminists." Becki Ross, *The House that Jill Built: A Lesbian Nation in Formation* (Toronto: University of Toronto Press, 1995), p. 54.

Organization of Toronto that members of lesbian SMOs “were primarily students, they held part-time ‘shit jobs,’ they worked for state-funded feminist projects, or they started up lesbian-run small businesses.”<sup>16</sup> One of the most successful organizations representing African Canadians, the Black United Front, was established in the late 1960s by a collection of black youth in Nova Scotia.<sup>17</sup> Meanwhile, rights associations became a mainstay of the Canadian social movement sector thanks, in part, to the enthusiasm of young activists. Norman Whalen and Walter Thompson, for example, were both fresh out of law school in the early seventies when they joined (and later became presidents of) the Nova Scotia Civil Liberties Association and the Newfoundland-Labrador Human Rights Association (NLHRA) respectively.<sup>18</sup> Another group of mostly young left-wing nationalists called the Waffle organized a dangerous, but ultimately unsuccessful, challenge to the established leadership of the New Democratic Party in 1969. In Quebec, political movements including the *Parti québécois* and the *Front d’action politique* benefitted from the participation of youth in their ranks.<sup>19</sup> The latter contested municipal elections in Montreal in 1970, the same year as the *Front de libération du Québec* provoked a national crisis when its members kidnapped a British diplomat and a Quebec cabinet minister.<sup>20</sup> The terrorists’ numbers were small, but the

16 Becki Ross, “A Lesbian Politics of Erotic Decolonization” in Veronica Strong-Boag, Sherrill E. Grace, and Avigail Eisenberg, eds., *Painting the Maple: Essays on Race, Gender, and the Construction of Canada* (Vancouver: University of British Columbia Press, 1998), p. 198. “The majority were suspicious of ‘human rights’ organizing within gay liberation that targeted policy reform at the level of municipal, provincial, and federal governments; they argued that these reforms would solely benefit economically advantaged gay men and long-term, monogamous coupling” (p. 199).

17 Dorothy Emma Moore, “Multiculturalism: Ideology or Social Reality?” (PhD dissertation, Boston University, 1980), pp. 309–311.

18 For an overview of the human rights movement in Canada, refer to Ross Lambertson, *Repression and Resistance: Canadian Human Rights Activists, 1930–1960* (Toronto: University of Toronto Press, 2005); Clément, *Canada’s Rights Revolution*.

19 “Sur les 30 000 membres du PQ, un parti fondé en pleine grève général des cégeps en octobre 1968, la part des jeunes est immense. Une pléiade de comités d’action péquistes pénètre dans les établissements d’enseignement. Des centres de recherche, d’information et de documentation sont établis avec une rapidité peu commune. Le travail d’animation est colossal. Fondation récente oblige, des militants étudiants (Claude Charron, Louis Harel, Pierre-Paul Roy, Jean Doré, Gilles Duceppe, Réal Valiquette) se trouvent élevés à des hautes postes de direction ou d’animation au sien du parti. Des éditorialistes de la presse étudiante écrivent des discours pour les candidates souverainistes; d’anciens membres des AGE font du porte-à-parole dans les quartiers ouvriers; des organisateurs d’octobre 1968 élaborent des stratégies électorales” (Warren, *Une douce anarchie*, pp. 227, 30).

20 Dominique Clément, “The October Crisis of 1970: Human Rights Abuses under the War Measures Act,” *Journal of Canadian Studies*, vol. 42, no. 2 (2008), pp. 160–186.

organization's "influence, particularly through their writing, was especially strong among youth."<sup>21</sup>

Still, only a minority of young people participated in social movements at this time. A large percentage "of sixties youth remained apolitical or opposed to the radicalism that was so associated with their generation."<sup>22</sup> To accept that the majority of youth were not activists, however, is not to vitiate their collective impact on social movements. Many people supported social movements by adhering to the movement's basic principles in ways that affected their everyday lives (and the lives of others). A minority of activists could also deeply affect the lived experience of the wider community. The famed child psychologist Erik H. Erikson, in a lecture on youth protest in 1969, posited that young activist elites "succeeded in arousing adult responses of such depth and ambivalence that teachers and administrators have become personally upset to the point of acute traumatization and have become unsure of their obligations to their profession and to their society."<sup>23</sup>

The surging participation of youth in social movements acted as an important catalyst during this period, but youth alone were not responsible for the proliferation of SMOs. Paul Tennant reminds us in his study of Aboriginals in Canada that, as early as 1927, one of the leading spokesmen for Aboriginals in Canada, Peter Kelly, "expressed the hope that a future generation would one day take up the land claim were his generation to fail. The graduates of the sixties became the leaders of that future generation."<sup>24</sup> Many of these young graduates, such as Philip Paul, Don Moses, and Rose Charlie, would become prominent leaders in the Aboriginal rights movement, but they also worked alongside veteran activists including Joseph Gosnell, George Manuel, and Frank Calder.<sup>25</sup> Judy Rebick describes the sixties as a period of youthful rebellion, while pointing out that, despite the slogan "Never trust anyone over thirty," young feminists found a great deal in common with feminists who were pioneers in the anti-war movement of the 1950s.<sup>26</sup> Rocky Jones and other young black radicals founded the Black United Front to develop a more militant course of

21 Judy Rebick, *Ten Thousand Roses: The Making of a Feminist Revolution* (Toronto: Penguin Canada, 2005), p. 8. Jean-Philippe Warren also discusses the relationship between young students and the *Front de libération du Québec* (*Une douce anarchie*, pp. 218–226).

22 Doug O'wram, *Born at the Right Time: A History of the Baby Boom Generation* (Toronto: University of Toronto Press, 1996), p. 160. Jean-Phillippe Warren also argues that, in the context of the Quebec student movement, only a minority of youth were militants (and many students were apolitical in the early 1960s) (*Une douce anarchie*, pp. 13, 50, 76).

23 Stephen Schlein, ed., *A Way of Looking at Things: Selected Papers from 1930 to 1980 Erik H. Erikson* (New York: W. W. Norton & Company, 1987), p. 688.

24 Paul Tennant, *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849–1989* (Vancouver: University of British Columbia Press, 1990), p. 141.

25 *Ibid.*, p. 152.

26 Rebick, *Ten Thousand Roses*, pp. 13, 20.

action for African Canadians, but Jones worked with Gus Wedderburn and others in the more established Nova Scotia Association for the Advancement of Black People.<sup>27</sup> Wedderburn, Anderson, Manuel, and others fought tirelessly in the 1950s to set the groundwork for the work of future SMOs, and they continued to play a critical role in shaping the activism of these movements.

In addition to demographics, the expansion of post-secondary education contributed to the explosion of SMOs. Between 1963 and 1968, university enrolment in Canada increased more than it had over the previous 50 years; dozens of new institutions were born, hundreds of faculty were hired, tens of thousands of students swelled the ranks of undergraduate programmes, and capital expenditures on universities across the country rose from \$100 million in 1955 to over \$1.5 billion by the end of the sixties.<sup>28</sup> This new cohort of professionals (academics, lawyers, doctors, social workers, journalists), old and young, played a central role in guiding SMOs. Their education provided them with useful skills for leading an advocacy group, such as researching, writing, organizing, public speaking, and fund-raising. An elite cohort of young, educated Aboriginals in the sixties, for example, created new SMOs and encouraged Aboriginal activists to focus their resources on litigation, lobbying, and using the media.<sup>29</sup> The preponderance of professionals in SMOs was enhanced by the rising power of experts in contemporary debates on issues such as abortion or human rights. A feature of modern movements is that they depend on expert opinion: "Analyzing the interplay of causes, costs, consequences, and options requires extensive knowledge of esoteric subjects, unavailable to even relatively well-educated laymen. In modern societies experts play a role in defining facts and issues for many movements, from tax redistribution to the impact of pornography on individual behaviour."<sup>30</sup>

A third factor contributing to the proliferation of SMOs during this period was affluence and the expanding middle class. From 1962 to 1972 the annual growth rate in Canada never dipped below 4 per cent, unemployment was less than 4 per cent in 1965, and more than 145,000 new jobs were created for people under 25 years old between 1964 and 1967.<sup>31</sup> Educational attainment and economic success led larger numbers of people from the burgeoning middle class to participate in voluntary

27 Moore, "Multiculturalism," pp. 310–311, 96–401.

28 Owram, *Born at the Right Time*, pp. 180–182.

29 "The change in tactics came with the rise of a young Aboriginal elite who had been educated in the dominant school system because of forced residential schooling" (Ramos, "Aboriginal Protest," p. 62).

30 Mayer Zald and John D. McCarthy, "The Future of Social Movements" in Zald and McCarthy, eds., *Social Movements in an Organizational Society*, p. 323.

31 Owram, *Born at the Right Time*, pp. 171–172.

associations and political activities. Mayer Zald and John McCarthy note that, in the sixties, the “American population greatly expanded its rate of participation in sociopolitical activities,” and William Carroll asserts that the sixties were “the climax of a period of social movement activism in Canada.”<sup>32</sup> Affluence creates discretionary income that can support social movements. Participation did not necessarily entail working directly with SMOs; people often participated in SMOs simply through membership dues and donations. In the United States, “educational attainment and economic position both correlate positively with sociopolitical participation; therefore, the more America becomes a middle-class society, the higher the societal rate of participation in the sociopolitical concerns.”<sup>33</sup> The expansion of the middle class had a direct impact on social movements.

A fourth factor, which was linked to the economic boom, was the emergence of new funding opportunities. SMOs could thrive without developing a large membership base, as resources were increasingly available through foundations, churches, and governments, which, since the 1960s, have provided more funding for SMOs than ever before.<sup>34</sup> New technologies also contributed to the proliferation of SMOs. The first Canadian television stations emerged in 1952; by the mid-1950s, more than half of Ontario households had television sets.<sup>35</sup> Television brought police violence in Georgia and riots in Gastown to the homes of millions of Americans and Canadians, whose support for a movement no longer depended on personal experience and immediate situational context.<sup>36</sup> In this way, the media helped SMOs attract larger numbers of constituent members (people who provide funding but do not participate directly in the group’s activities) without having to mobilize a grass-roots base. Many SMOs placed a priority on public education campaigns, or on tools such as the media and mass mailings, to spread their message and mobilize large numbers of constituent members. As a result, many “professional” SMOs had limited contact with their membership and were led by full-time staff whose central objective was to ensure the group’s survival.

The conditions that facilitated the mobilization of social movements and the proliferation of SMOs did not emerge spontaneously in the 1960s. The predominance of television in North American homes was well established by the 1950s. Economic prosperity began in 1946 and lasted until the

32 Zald, “The Trend of Social Movements in America,” p. 338; William K. Carroll, ed., *Organizing Dissent: Contemporary Social Movements in Theory and in Practice*, 2nd ed. (Toronto: Garamond Press, 1997), p. 4.

33 Zald, “The Trend of Social Movements in America,” p. 342.

34 *Ibid.*; Zald and McCarthy, “The Future of Social Movements,” pp. 29–31.

35 Owram, *Born at the Right Time*, pp. 88–90.

36 Zald and McCarthy, “Resource Mobilization and Social Movements,” pp. 25–38.

global economic recession of the mid-1970s. The sixties would become a watershed for social movement mobilization; yet activists in the 1960s built on the successes of their predecessors.

### Generations in History

Writing in the 1960s and 1970s, Kenneth Keniston and Louis Feuer conceived of youth protest as a generational challenge. For them, the legacy of the baby-boomers lay in sit-ins at Harvard and Columbia, the cannabis-smoking hippie with long hair, and the bodies of students shot dead by National Guardsmen at Kent State University.<sup>37</sup> Keniston, a former Rhodes scholar and Yale professor, explained that youth protest was a manifestation of generational conflict: not necessarily a rejection of parental values, but a demand for something new. Like all revolutions, the boomers built upon older values and visions.

The idea of generations is a contested concept for historical analysis.<sup>38</sup> Can a generation “act” collectively? Can a generation have identifiable values or interests? Economist David Foote’s best-selling book, *Boom, Bust and Echo*, divides Canadian history into generational cohorts in which generational conflict displaces other forms of social struggle. Other “pop-demographers,” including Michael Adam and Robert Collins, have made similar claims.<sup>39</sup> The media are replete with references to the baby-boom generation as an historical actor. Historian Doug Oram (*Born at the Right Time*) and professor of French studies François Ricard (*La génération lyrique*) have further popularized the notion that the boomers collectively transformed Canadian society.<sup>40</sup> The problem with many of these accounts is their focus on generation as a biological fact.

Karl Mannheim,<sup>41</sup> one of the original thinkers on the question of generation as a historical concept, suggested that belonging to a generation is

37 Kenneth Keniston, *Youth and Dissent: The Rise of a New Opposition* (New York: Harcourt Brace Jovanovich, 1971); Lewis Feuer, *The Conflict of Generations: The Character and Significance of Student Movements* (New York: Basic Books, 1969).

38 Karine Hébert explores the challenges to using the concept of generations in *Impatient d’être moi-même : les étudiants montréalais, 1895–1960* (Quebec: Presses de l’Université du Québec, 2008), pp. 130–135.

39 Robert Wright offers an excellent critique of pop demography in “Historical Undoing: Pop Demography and the Crisis in Canadian History,” *Canadian Historical Review*, vol. 81, no. 4 (2000), p. 105. See also Robert Collins, *You Had to Be There: An Intimate Portrait of the Generation that Survived the Depression, Won the War and Re-invented Canada* (Toronto: McClelland & Stewart, 1997); Michael Adams, *Sex in the Snow: The Surprising Revolution in Canadian Social Values* (Toronto: Penguin Canada, 2006); David Foot, *Boom, Bust and Echo: How to Profit from the Coming Demographic Shift* (Toronto: Macfarlane, Walter and Ross, 1996).

40 Oram, *Born at the Right Time*; François Ricard, *La génération lyrique : essai sur la vie et l’œuvre des premiers-nés du baby-boom* (Montreal: Boréal, 1992).

41 In his contribution to a special edition in *Revue d’histoire* on generations, Marc Devriese credits Mannheim with popularizing positivist notions of generations within the historical sociological

analogous to belonging to a class: “both endow the individuals sharing in them with a common location in the social and historical process, and thereby limit them to a specific range of potential experience, predisposing them for a certain characteristic mode of thought and experience, and a characteristic type of historically relevant action.”<sup>42</sup> To use generation as an analytical concept is to recognize that a community of people who were all born within the same short span of years shared a common historical and cultural experience that collectively shaped their lives (for example, similar schools, common family structures, comparable economic opportunities, exposure to ideas about patriotism and politics). In essence, to quote Anthony Esler, they are “products of a common cultural environment.”<sup>43</sup>

In other words, a generation is not primarily a biological (youth) category. The contributors to a special edition in 1989 of *Vingtième siècle. Revue d'histoire* on generations in history insisted on this point. In the introduction, Jean-Pierre Azéma distinguished between “age” and “generation.”<sup>44</sup> Age is important to generation only in that a group of people born around the same time share a common experience as youth.<sup>45</sup> “Certes, le phénomène des générations est dépendant du rythme biologique de la naissance et de la mort,” suggests another contributor, “mais il n’est ni déductible de, ni compris en lui. Il indique uniquement le positionnement commun d’individus dans la dimension historique du processus social. Ce qui signifie qu’ils sont en position d’expérimenter les mêmes événements et les mêmes processus.”<sup>46</sup> Ultimately, as Karine Hébert expresses in her recent book on the Montreal student movement, youth and generation are forms of identity that are fluid, socially constructed, and

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tradition and explains how this approach differs from a focus on generations as biology. Marc Devriese, “Approche sociologique de la génération,” *Vingtième Siècle. Revue d'histoire*, vol. 22 (1989), p. 12.

42 Karl Mannheim, *Essays on the Sociology of Knowledge* (New York: Oxford University Press, 1953), p. 291. For a discussion of generation as an historical concept, refer to Anthony Esler, *Generations in History: An Introduction to the Concept* (S.I.: SN, 1982); Feuer, *The Conflict of Generations*; Owsram, *Born at the Right Time*.

43 Esler, *Generations in History*, p. 44.

44 “Or, précisément, il faut distinguer nettement, pour notre propos, effet d’âge et effet de génération, même si les deux peuvent être corrélés.” Jean-Pierre Azéma, “Le clef générationnelle,” *Vingtième siècle. Revue d'histoire*, vol. 22 (1989), p. 6.

45 Marc Bloch, one of the founders of the French *Annales* school, forwarded a similar argument decades earlier: “Les hommes qui sont nés dans une même ambiance sociale, à des dates voisines, subissent nécessairement, en particulier dans leur période de formation, des influences analogues. L’expérience prouve que leur comportement présente, par rapport aux groupes sensiblement plus vieux ou plus jeunes, des traits distinctifs ordinairement fort nets. [...] Cette communauté d’empreinte, venant d’une communauté d’âge, fait une génération.” This quotation is cited in Azéma, “Le clef générationnelle,” p. 4.

46 Devriese, “Approche sociologique de la génération,” p. 12.

contested: “l’identité est un processus *social* et, conséquemment, l’identité n’existe pas sans ‘l’autre’.”<sup>47</sup>

The demographic bulge led by the boomers was bound to have a profound impact on all aspects of Canadian society, but, as we will see below, the transformation of social movements was a result of youth and older activists working together. As Keniston suggested in 1966, youth built upon established values and visions for social change. Youth were therefore the catalysts for a transformation in the mobilization of social movements and among the leading participants in this new era of activism.

### **Generations of Social Movements**

The first rights associations in Canada emerged in the 1930s and were thus led by a generation of activists who had collectively experienced the Great Depression, World War II, and the height of the Cold War. Women had only recently gained the vote in Quebec; employers and the state openly discriminated against racial minorities; Japanese-Canadians were disenfranchised and deported; Jehovah’s Witnesses in Quebec were vilified and harassed by the police; and communists were constant targets of repression. Quebec’s infamous *Padlock Act*, a vaguely worded statute designed to stamp out “subversive” activities, had been condemned by civil libertarians since its inception in 1937.<sup>48</sup> The autocratic premier Maurice Duplessis used the law to torment suspected communists, harass Jehovah’s Witnesses, and suppress radical trade unionists.

In a way, the *Padlock Act* was the birth mother of the country’s first fledgling rights associations. Civil liberties associations, under the banner of the Canadian Civil Liberties Union (CCLU), emerged in the 1930s in Vancouver, Winnipeg, Ottawa, Montreal, and Toronto largely in response to the *Padlock Act*.<sup>49</sup> The Toronto branch was renamed the Civil Liberties Association of Toronto in 1940 and later became the Association for Civil Liberties under the leadership of Toronto lawyer Irving Himel. These rights associations had a short lifespan. The branches of the CCLU dissolved in a handful of years. Professor Arthur Lower created a new association in Winnipeg, and Frank Scott supported the formation of a civil liberties group in Montreal in the mid-1940s; both organizations lasted

47 Hébert, *Impatient d’être-moi-même*, p. 4. Hébert explores how students employed the concept of generations to articulate a collective identity as youth and students.

48 The *Padlock Act* (*An Act to Protect the Province Against Communist Propaganda*), passed in 1937, did not define “subversives.” Under the Act, the Attorney General (Duplessis) could padlock the premises of any building to prevent “subversive” activity. The law was used against unionists, Jews, Jehovah’s Witnesses, communists, and people in the political left in general. Victims could only appeal to the Attorney General.

49 For a history of the first generation of rights associations, refer to Dominique Clément, “Spies, Lies and a Commission, 1946–8: A Case Study in the Mobilization of the Canadian Civil Liberties Movement,” *Left History*, vol. 7, no. 2 (2000), pp. 53–78; Lambertson, *Repression and Resistance*.

barely a decade. A few groups were created in Ottawa, Montreal, and Toronto in the wake of the Gouzenko Affair (1946), but they were defunct by the late 1950s.<sup>50</sup>

Frank Scott, the celebrated civil liberties lawyer and dean of McGill Law School, personified the first generation of civil liberties activists.<sup>51</sup> He was a white male with a university education who lived in a metropolitan area and enjoyed close ties to the political establishment. Few religious or racial minorities (except, notably, Jews in Toronto) were active within civil liberties associations, whose ranks were dominated by professors, journalists, lawyers, and labour leaders.<sup>52</sup> Senator Cairine Wilson (Ottawa) and Margaret Spaulding (Toronto) were among the few women who participated in rights associations before the 1960s.<sup>53</sup>

Early rights associations, including groups based in Montreal, were also dominated by English Canadians. The absence of French Canadians is difficult to explain. Ross Lambertson quotes Frank Scott, who suggested in the 1950s that liberalism was a scarce commodity in French Canada. Eugene Forsey bemoaned the quasi-fascist elements in Quebec in the 1950s that discouraged critics of the state.<sup>54</sup> It was perhaps indicative of the obstacles facing French Canadians that, when the francophone representative of the Civil Rights Union attempted to present his brief to a parliamentary committee on human rights in 1950, he was coldly rebuked and told that the committee only worked in English.<sup>55</sup> Rights associations were also leading advocates for a national bill of rights at a time when many French Canadian political leaders actively opposed it. In a letter to Irving Himel in June 1950, Senator Arthur Roebuck spoke of the divisions between English and French Canadian senators on this issue; the latter hesitated to support a bill of rights that could limit provincial powers.<sup>56</sup>

50 The federal government used the *War Measures Act* in 1946 to suspend civil liberties and detain a handful of suspected Soviet spies incommunicado for weeks. Igor Gouzenko was the Russian cipher clerk who defected and brought evidence of a Soviet spy ring operating in Canada. The Gouzenko Affair sparked an intense public debate about the danger of state abuse of fundamental freedoms. For further information on the Gouzenko Affair and early rights associations, refer to Clément, "Spies, Lies and a Commission."

51 Frank Scott was one of the country's leading constitutional experts. He played a key role in several famous cases in the 1950s dealing with civil liberties, including the Supreme Court of Canada's decision to strike down the *Padlock Act*.

52 Ross Lambertson provides extensive background information on many of the individuals who organized early rights associations in *Repression and Resistance*.

53 *Ibid.*, p. 164.

54 *Ibid.*, p. 48.

55 Canada, *Special Committee on Human Rights and Fundamental Freedoms* (Ottawa: Queen's Printer, 1950).

56 Library and Archives Canada [hereafter LAC], Arthur Roebuck Papers, MG32 C68, vol. 1, f.23, Arthur Roebuck to Irving Himel, June 28, 1950.

These factors contributed to the weak presence of French Canadians among rights associations.

These early rights associations shared several other notable qualities. First, state funding was nonexistent. Rights associations operated on shoestring budgets and depended on volunteer work, individual donations, or the sponsorship of wealthy patrons. Secondly, ideological divisions plagued early rights associations. This was a period characterized by bitter divisions among communists and social democrats. In Toronto, the antipathy between social democrats (and liberals) and communists was strong enough to require the formation of two separate organizations (the Association for Civil Liberties and the communist-led Civil Rights Union). The Civil Liberties Association of Winnipeg refused to allow known communists to join, and the Ottawa Civil Liberties Association disbanded largely as a result of ideological conflicts among its members.<sup>57</sup> Ideological divisions contributed to the failure to form a national organization. An attempt to create a national civil liberties association in Ottawa in 1946 has been characterized by Frank Clarke as a “rancorous affair.”<sup>58</sup>

Rights associations mobilized around issues unique to this period. Anti-discrimination legislation did not exist in the 1940s, and rights associations, particularly in Toronto, would play a key role in lobbying for the first anti-discrimination laws and the 1960 federal Bill of Rights. Activists wrote letters to politicians, organized rallies in large cities, mobilized thousands of people to sign petitions, published articles and opinion columns in newspapers and popular magazines such as *Saturday Night*, hosted conferences and public seminars, and presented extensively researched briefs to government officials. When the federal government suspended *habeas corpus* in 1946 to detain more than a dozen suspected communist spies, civil liberties groups were among the few organizations to speak out against the government’s actions.<sup>59</sup> In the same year, rights associations allied with Japanese Canadians and others to combat the federal government’s attempts to deport British citizens of Japanese origin back to Japan.<sup>60</sup> Racism, anti-communism, and war played a formative role in shaping the activities of these groups.

57 Clément, “Spies, Lies and a Commission.”

58 C. S. Jackson of the Civil Rights Union (Toronto) called for a broad-based organization to include organized labour, while J. P. Erichsen-Brown of the Ottawa Civil Liberties Association did not consider communists legitimate civil libertarians. Frank K Clarke, “Debilitating Divisions: The Civil Liberties Movement in Early Cold War Canada, 1946–8” in Gary Kinsman, ed., *Whose National Security? Surveillance and the Creation of Enemies in Canada* (Toronto: Between the Lines, 2000), p. 177.

59 Clément, “Spies, Lies and a Commission.”

60 Stephanie D. Bangarth, “‘We are not asking you to open wide the gates for Chinese immigration’: The Committee for the Repeal of the Chinese Immigration Act and Early Human Rights Activism in Canada,” *Canadian Historical Review*, vol. 84, no. 3 (2003), pp. 395–422.

The first generation of rights associations was defunct by the late 1950s, and the beginning of a second generation of rights associations emerged in 1962, when the British Columbia Civil Liberties Association (BCCLA) was created in Vancouver to defend Doukhobours from state harassment.<sup>61</sup> Soon after, in London, Ontario, another civil liberties association coalesced around revelations that the local police had arrested ten people for shoplifting near Christmas and kept them in jail as an example to other potential shoplifters.<sup>62</sup> Human rights groups were established in St. John's, Saskatoon, Edmonton, and ten other cities in the wake of the country-wide celebrations for the anniversary of the Universal Declaration of Human Rights in 1968.<sup>63</sup> More than 40 rights associations, either self-identified civil liberties or human rights associations, were created between 1962 and 1975 (at least one in each province).<sup>64</sup>

Rights associations born after 1962 were deeply affected by the work of the first civil liberties associations. The limitations of the first anti-discrimination statutes and the 1960 federal Bill of Rights, for instance, inspired rights associations to lobby for expansive human rights codes and a constitutionally entrenched bill of rights.<sup>65</sup> Every jurisdiction in Canada was protected by a human rights code by 1977, and in 1982 the *Charter of Rights and Freedoms* was entrenched in the constitution.

Frank Scott, a key figure in the CCLU who participated in the creation of the *Ligue des droits de l'homme* in 1963, bridged the two generations of rights associations. The LDH emerged in the midst of a period of significant social change in Quebec, a transition rooted in developments predating the 1960s. Some of the more notable developments after the war, including the Asbestos strike of 1949 and the secularization of labour unions in the 1950s, the decline of clerical influence since the 1930s, women's successful campaign for the right to vote in 1941, and the creation

61 Dominique Clément, "An Exercise in Futility? Regionalism, State Funding and Ideology as Obstacles to the Formation of a National Social Movement Organization in Canada," *BC Studies*, no. 146 (Summer 2005), pp. 63–91.

62 *Liberties*, vol. 2, no. 1 (September 1969).

63 A Canadian Commission for International Year for Human Rights was organized in 1967 by a group of prominent Canadians who had been active in the human rights movement (funded by the Secretary of State). The Commission established provincial human rights committees to coordinate efforts to celebrate the anniversary. Several of the committees evolved into independent advocacy groups and a few, including the NLHRA, are still active today. Canadian Commission, *International Year for Human Rights 1968 in Canada: Report of the Proceedings, National Conference on Human Rights and Activities of the Canadian Commission*, 1969; Dominique Clément, "Searching for Rights in the Age of Activism: The Newfoundland-Labrador Human Rights Association, 1968–1982," *Newfoundland and Labrador Studies*, vol. 19, no. 2 (2003).

64 Maurice Miron, *A Canadian Organization for Human Rights: Report of a Canada-Wide Survey* (Ottawa: Canada Welfare Council, 1970).

65 For a full history of the second generation of rights associations, refer to Clément, *Canada's Rights Revolution*.

of Hydro Québec in 1944, set the stage for the Quiet Revolution.<sup>66</sup> During the Quiet Revolution, the educational system was modernized and secularized; the role of the church was challenged in labour unions, schools, and other sectors of Quebec society; and the state began to expand forcefully its role in the economy. French Canadians aggressively challenged their marginalization in Quebec and Canada, and many participated in social movements. As in the rest of the country, social movements in Quebec entered a new age in the 1960s. Hundreds of SMOs mobilized people in the province around a wide range of grievances, from self-determination for Quebec to rights for women and students.<sup>67</sup>

The LDH quickly became one of the most prominent SMOs in the province. Among the leading figures in the LDH in the 1960s were Frank Scott, Pierre Trudeau, Jean-Charles Harvey, René Hurtubise, Jacques Hébert, Thérèse Casgrain, J. Z. Léon Patenaud, Alban Flamand, and Claude Forget.<sup>68</sup> Most of the founders were established journalists, lawyers, or professors who had experienced first-hand the repressive regime of Maurice Duplessis. Casgrain played a key role in securing, in 1940, women's right to vote in Quebec; both Scott and Trudeau faced numerous obstacles in their careers as university professors because of their political allegiances; Jean-Charles Harvey was fired as editor-in-chief of *Le Soleil* in 1934 for his controversial book *Les demi-civilisés*; and Jacques Hébert was charged with sedition for his social and political views. The LDH's founders restricted their activities to lobbying policymakers and working with municipal, provincial, and federal authorities to implement new policies or reform old ones.

Soon after Claude Forget accused the LDH of being an anachronism failing to function properly, Scott and the old guard found themselves besieged from within. The demographics of the organization were changing rapidly by the early 1970s. The association's leadership was slowly overtaken by a new cohort of activists including Léo Cormier, Raymond Boyer, Simonne Monet-Chartrand, and Bernard Mergler. These new leaders had strong ties to other social movements and were critical of the LDH's elite tactics. At the same time, a young group of activists including Alain Arsenault, Jean-Claude Bernheim, Normand Caron, Pierre

66 For an overview of the roots of the Quiet Revolution, refer to John Dickinson and Brian Young, *A Short History of Québec* (Montreal and Kingston: McGill-Queen's University Press, 2000), chap. 8–9.

67 Jean-Guy Vaillancourt captures the scope of this phenomenon in the introduction to his article "Deux nouveaux mouvements sociaux québécois : le Mouvement pour la paix et le Mouvement vert" in Gérard Daigle and Guy Rocher, eds., *Le Québec en jeu. Comprendre les grands défis* (Montreal: Presses de l'Université de Montréal, 1992), pp. 4–5.

68 For a full list of the LDH's leadership from 1964 to 1975, see Lucie Laurin, *Des luttes et des droits. Antécédants et histoire de la Ligue des droits de l'homme de 1936–1975* (Montreal: Éditions du Meridien, 1985), appendix.

Jasmin, and Jean-Louis Roy joined the executive council. Maurice Champagne, a college professor born in the 1930s who had recently completed a PhD in France before joining the organization in 1971, would soon become a key figure in the transformation of the LDH.<sup>69</sup>

Many of the LDH's new members were drawn from other social movements in Quebec and, in particular, around Montreal. The city's importance to the social, economic, and political life of the province ensured that it would become a major centre for the mobilization of social movements. The first gay rights groups in Quebec, including Gay McGill, the *Front de libération homosexuel*, and Gay Women of Montreal, appeared in Montreal.<sup>70</sup> The *Fédération des femmes du Québec*, alongside numerous other feminist groups such as the *Front de libération des femmes* and the *Association féminine d'éducation et d'action sociale*, had an important presence in the city,<sup>71</sup> as did nationalist associations such as the *Parti québécois*, *Rassemblement pour l'indépendance nationale*, and the *Ralliement national*. The labour movement was another key actor in the Montreal social movement scene. The *Confédération des syndicats nationaux* (CSN), for example, dedicated extensive resources to supporting urban reform movements in Montreal through a series of *Comités d'action politique*.<sup>72</sup> Thousands of people mobilized around these committees as well as local action groups to improve public health, rejuvenate parks, renovate schools, and demand action on dozens of other issues. Out of these groups emerged two organizations that would challenge Mayor Jean Drapeau's dominance of Montreal's city hall: the *Front d'action politique* and the Montreal Citizens Movement.<sup>73</sup> These developments constituted the most dynamic urban reform movement in Canada. As Louis Favreau insists, the Montreal committees represented a rupture with the past: "Il nous faut plutôt parler d'une dicontinuité assez marquée entre le mouvement populaire des années 1960–1988 et ce qui l'a précédé : il n'existe pas pratiquement aucun transfert d'expérience, et aucune organisation

69 *Le Devoir*, November 12, 1998.

70 Tom Warner, *Never Going Back: A History of Queer Activism in Canada* (Toronto: University of Toronto Press, 2002), pp. 66–67, 83, 180.

71 Chantal Maillé, "The Québec Women's Movement: Past and Present" in Alain-G. Gagnon, ed., *Québec: State and Society* (Peterborough, ON: Broadview Press, 2004).

72 Henri Lustiger-Thaler, "Political Culture and the Politics of Bricolage: The Case of Montréal" in Colin Leys and Marguerite Mendell, eds., *Culture and Social Change: Social Movements in Québec and Ontario* (Montreal: Black Rose Books, 1992), pp. 190–192; Eric Aslène, "The Alternatives at the Crossroads" in Marc Raboy, ed., *Old Passions, New Visions: Social Movements and Political Activism in Québec* (Toronto: Between the Lines, 1986); Louis Favreau, *Mouvement populaire et intervention communautaire de 1960 à nos jours* (Montreal: Éditions du Fleuve, 1989).

73 Hughes Quirion, "Community Organization and Political Action in Montreal," *Social Work*, vol. 17 (1972), pp. 85–90; Donald McGraw, *Le développement des groupes populaires à Montréal* (Montreal: Albert St-Martin, 1978).

progressiste des années d'après-guerre n'a survécu jusqu'à la Révolution tranquille."<sup>74</sup>

Montreal's vibrant social movement landscape was a valuable resource for the LDH. The association participated in dozens of coalitions throughout the 1970s. For example, the LDH organized a common front of SMOs in 1975 to protect nursery schools from government budget cuts: the coalition brought together such diverse groups as *SOS Garderie*, *Association pour la défense des droits sociaux*, CSN, *Centrale de l'enseignement du Québec*, *Fédération des travailleurs du Québec*, *Ligue des femmes*, and the *Parti québécois*.<sup>75</sup> The LDH had especially strong ties to the major provincial labour federations. Cormier, who was president of the LDH from 1973 to 1977, had worked for labour unions in Montreal for many years. Cormier also had ties with the *Parti québécois*, as did other new members of the LDH including Alain Arsenault and Simonne Monet-Chartrand.<sup>76</sup> In addition, many of the LDH's activists had participated in social movements for students, women, Aboriginal peoples, prisoners, and other groups. Bernard Landry was a student leader at the *Université de Montréal* in the mid-1960s and worked for the LDH after he graduated; he would soon become a key figure in the *Parti québécois*. Another former Montreal student leader, Jean Doré, joined the LDH in the 1970s and had close ties to the *Parti québécois* and the Montreal Citizens Movement. To facilitate the mobilization of activists around issues such as prisoners', Aboriginal, and women's rights, the association created a series of "offices," which were given extensive autonomy within the LDH and mobilized activists from a variety of social movements.<sup>77</sup> The ferment of the period, coupled with the influx of new activists, would have a significant impact on the activism of the LDH.

Founders of the LDH in the 1960s defined rights as civil and political rights. Article 1 of the association's original constitution in 1963 referred to individuals' rights to speech, assembly, association, religion, and due process.<sup>78</sup> This conception of rights was consistent with the approach embraced by previous civil liberties associations. Early rights associations primarily defined rights in terms of negative freedom (freedom from

74 Favreau, *Mouvement populaire et intervention communautaire*, p. 15.

75 *Le Jour*, June 27, 1975.

76 *Le Devoir* hinted in one editorial that a nuclear group within the *Ligue* was composed of ardent separatists (October 14, 1972).

77 The LDH archives at UQAM contain entire files on the committees for women, prisoners, and Aboriginals. See, for instance, files 24P6h/2 (constitution for group on Aboriginal issues); 24P7b/3 (summary of activities for group on women); and 24P1/11 (structure of the *Office des droits des détenus*). The prisoners' rights group was, by far, the most active.

78 LAC, Frank Scott Papers, MG30, D211, constitution of the *Ligue des droits de l'homme*, v.46, reel 1235.

unjust interference by the state).<sup>79</sup> Champagne and the new cohort of activists, however, introduced a revolutionary manifesto in 1972, calling upon the LDH to adapt to the changes occurring within Quebec society and to consider the unique problems facing the poor, women, elderly, youth, and ethnic minorities.<sup>80</sup> Free speech or due process were no longer sufficient; economic, social, and cultural rights were given equal, if not greater, priority to civil and political rights.<sup>81</sup> Instead of concerning themselves with individual rights, they aimed to achieve equality by improving the social conditions in which those rights were exercised. The contrast was most evident in the LDH's campaign for a provincial bill of rights. In the 1960s, the LDH's proposal for a provincial bill of rights did not include, for example, provisions for language rights.<sup>82</sup> In contrast, the LDH embraced a new policy on language rights including, among other things, a demand for unilingual education in French in Quebec.<sup>83</sup> Champagne's LDH placed a priority on collective rights: "Une charte des droits de l'homme au Québec qui serait fondée sur un respect inconditionnel de droits individuels, au détriment des droits collectifs, constitueraient en ce domaine comme en d'autres, une base injuste, voir immorale."<sup>84</sup>

Scott and many of the old guard quickly abandoned the LDH, unable to accept this new orientation. In a letter to Champagne, Scott declared: "I could not honestly continue to be a member of the Council. It is evident that a totally new conception of the League is now dominant, and however valid this may appear to the present executive it is a concept which I find quite at variance with my notion of what a proper Civil Liberties Union should be."<sup>85</sup> The LDH also adopted a position on self-determination. Although the organization did not explicitly endorse

79 Lambertson, *Repression and Resistance*.

80 Ligue des droits de l'homme, *Les droits de l'homme dans la société actuelle*, September 27, 1972.

81 Civil liberties associations defined rights in terms of civil and political rights, whereas human rights associations also embraced economic, social, and cultural rights. Civil and political rights restrict state action and provide the basic "rules" for governing a liberal democratic state (negative freedom); economic, social, and cultural rights require positive state action and impose on governments to provide, for instance, adequate levels of education or health care (positive freedom).

82 Jacques-Yvan Morin, "Une Charte des droits de l'homme pour le Québec," *McGill Law Journal*, vol. 9, no. 4 (1963).

83 The link between collective rights and language rights was further elaborated in a position paper adopted by the *Ligue* in 1973: "De même, les droits linguistiques pour les Québécois de langue française seront des droits collectifs qui ont une importance telle qu'ils peuvent justifier pleinement, à ce moment de notre histoire, des mesures qui auraient pour effet de créer des obligations particulières aux individus, notamment dans les limites qu'il faut apporter au choix de la langue d'enseignement pour les parents et les jeunes" (UQAM, SAGD, LDL, 24P1/32, *Rapport annuel de la Ligue*, 1973–1974).

84 UQAM, SAGD, LDL, 24P1/32, "Le rôle de la Ligue et son orientation sociale et politique," 1974.

85 LAC, Frank Scott Papers, MG30, D211, vol. 47, Scott to Champagne, May 30, 1972.

independence, it did insist on the right of the people in Quebec to form an independent state.<sup>86</sup>

The LDH's new orientation was partly a result of new members joining the organization. According to Jean-Claude Bernheim, who worked for the LDH throughout most of the 1970s, many of the figures who joined the organization during this period had close links to the independence movement and supported the new positions on language rights and self-determination.<sup>87</sup> Pierre Cloutier and others with close ties with the *Parti québécois* also formed a national security committee within the LDH to protest illegal RCMP activities in Quebec directed against the independence movement.<sup>88</sup> Scott, Hébert, Casgrain, and many others who founded the LDH would never have countenanced such policies. Many of the LDH's new members during this transition were boomers, but others such as Mergler and Cormier had been born before the war and had been active for many years within a variety of social movements. The organization therefore benefited from the influx of both young and established activists.

The LDH's new ideology was also a response to social and political developments in Quebec. This was the time of the *Front de libération du Québec*, the *McGill française* movement, the rise of the independence movement, and national debates about language and national unity. Many of the leading SMOs in the province had embraced Québécois nationalism, including UGEQ, the *Fédération des femmes du Québec*, *Front d'action politique*, and CSN, among others. As well, the nationalist movement was only one of many influences on the LDH.<sup>89</sup> The LDH's demands for extensive social and economic reform were hardly unusual in a province that boasted, by the 1970s, "the most combative, militant and radical [labour movement] in Canada."<sup>90</sup> One of the province's leading labour federations, for instance, the CSN, had adopted explicitly socialist positions on the economy. UGEQ, from which a few of the

86 UQAM, SAGD, LDL, 24P6q/1, "La négation du droit à l'autodétermination dans la campagne électorale – Déclaration spéciale du Conseil d'administration de la Ligue des droits de l'homme," October 13, 1972.

87 Jean-Claude Bernheim, June 26, 2005.

88 The link between the *Ligue's* national security committee was raised in a 1984 internal memorandum produced for the administrative council. It was also confirmed by Jean-Claude Bernheim (*ibid.*; UQAM, SAGD, LDL, 24P9f/4, "Mémoire au conseil d'administration sur l'état de la Ligue," April 5, 1984.

89 According to Lucie Laurin, Maurice Champagne believed that the *Ligue* could offer a more radical and assertive position on language rights because, unlike the *Parti québécois*, the *Ligue* was not beholden to the electorate (*Des luttes et des droits*, pp. 117–118).

90 Bryan Palmer, *Working Class Experience: Rethinking the History of Canadian Labour, 1800–1991* (Toronto: McClelland & Stewart, 1992), p. 362.

LDH's future leaders would emerge, had also embraced radical positions on the economy and social policy.<sup>91</sup>

Many of these issues were unique to Quebec. Still, developments in Quebec, as noted earlier, mirrored trends across the country. The proliferation of social movements was a national and international phenomenon. True, movements specific to Quebec undoubtedly informed the LDH's new philosophy, but it would be too reductionist to attribute this shift solely to the situation in the province. It should not be forgotten that the LDH emerged within the context of an expanding human rights movement in Canada, and at a time when many social movements were embracing new ideological frames. The New Left challenged the ideological strictures of Scott's generation and the bureaucracy associated with the labour movement. Within the student movement, "ideological strain destroyed more than one New Left organization."<sup>92</sup> Instead of joining long-established women's rights groups, many young women filled the ranks of women's liberationist organizations and explicitly rejected the reform-oriented strategies of established women's groups.<sup>93</sup> Gays and lesbians, Aboriginals, African Canadians, and a host of other movements also struggled to unite diverse interests into a cohesive movement.<sup>94</sup> As Howard Ramos points out, the "divergence among traditional and elected leaders and between local and national interests, urban and rural, and radical and mainstream groups within the Aboriginal movement, as well as the differing legal statuses of Aboriginal peoples, defined the post-White Paper period and remained the case into the 1980s."<sup>95</sup> Among gay rights advocates, liberationist militancy on issues such as pornography and removing the age of consent "grated on assimilationist, equality-seeking advocates, who saw them as impediments to securing legislative reform."<sup>96</sup>

The ideological strains within the LDH also divided rights associations across the country. Should pornography be protected as free speech? Civil liberties associations said yes; human rights associations said no. These divisions were a defining feature of the country's first national rights association formed in 1971: the Canadian Federation of Civil Liberties and Human Rights Associations.<sup>97</sup> Organizations such as the BCCLA and the Canadian Civil Liberties Association (CCLA) defined rights in terms of civil and political rights. In contrast, human rights

91 Warren, *Une douce anarchie*, p. 42.

92 Owsram, *Born at the Right Time*, p. 231.

93 *Women Unite! An Anthology of the Canadian Women's Movement* (Toronto: Canadian Women's Educational Press, 1972), p. 9.

94 Nancy Adamson, *Feminist Organizing for Change: The Contemporary Women's Movement in Canada* (Toronto: University of Toronto Press, 1988); Warner, *Never Going Back*.

95 Ramos, "Aboriginal Protest," p. 63.

96 Warner, *Never Going Back*, p. 131.

97 Clément, "An Exercise in Futility?"

associations asserted the belief that individuals had a right to economic security and that people could not exercise their political and civil rights without sufficient resources.<sup>98</sup> The LDH successfully lobbied the Quebec government to include a section on economic and social rights in the 1975 Quebec *Charter of Human Rights and Freedoms*.<sup>99</sup> No other human rights code in Canada contained an explicit reference to economic and social rights.

The presence of French Canadians in the LDH represented another break with the past. Virtually absent from the first generation, by the seventies French Canadians led one of the most dynamic rights associations in the country. The LDH became unilingually French in 1972.<sup>100</sup> Champagne succinctly summarized the organization's view on bilingualism in a speech in 1971: "Le bilinguisme et le biculturalisme qui ont été l'idéologie principale du 'French Power' à Ottawa et qui ont en même temps fondé sa stratégie électorale à propos de l'unité canadienne, aura peut-être eu comme premier effet, il me semble, de démembrer l'unité traditionnelle de la majorité française."<sup>101</sup> The LDH was also one of the founding members of the Canadian Federation of Civil Liberties and Human Rights Associations and was the second-largest rights association in Canada.<sup>102</sup> The work of the LDH outside Quebec included campaigns to protect refugees, eliminate capital punishment, and reform legislation dealing with immigration, privacy and national security. It hosted the first meeting in North America of the *Fédération internationale des droits de l'homme* in 1982.<sup>103</sup>

The influence of French Canadians among rights associations was consistent with developments across the social movement spectrum. Every francophone student association left the Canadian Union of Students in the 1960s to join the newly formed UGEQ; the *Fédération des femmes du Québec* was formed as an umbrella association for feminists in Quebec in 1966; and the FTQ successfully fought to greater autonomy within the Canadian Labour Congress.<sup>104</sup> In virtually every social

98 Clément, *Canada's Rights Revolution*.

99 *Charter of Human Rights and Freedoms*, Revised Statutes of Quebec 1975, c.C-12.

100 UQAM, SAGD, LDL, 24P6g/1, "Les Québécois ont le droit de survivre – Position de la Ligue sur les droits linguistiques au Québec," May 26, 1974; UQAM, SAGD, LDL, 24P6q/1, "La négation du droit à l'autodétermination dans la campagne électorale – Déclaration spéciale du Conseil d'administration de la Ligue des droits de l'homme," October 13, 1972.

101 UQAM, SAGD, LDL, 24P6f/10, "Discourse d'ouverture du congrès prononcé par le directeur général de la Ligue des droits de l'homme," June 4, 1974.

102 The following newsletter provides a breakdown of membership numbers for rights associations across Canada in the 1970s: *Rights and Freedoms*, no. 21, March 1976 and no. 25, March 1977.

103 Lucie Laurin provides a brief institutional history of the *Ligue* until 1975 in *Des luttes et des droits*.

104 Palmer, *Working Class Experience*, p. 362.

movement sector, French Canadians were playing a central role within Quebec and on the national stage.

Another key shift in the dynamics of the LDH was the infusion of state funding. There was some hesitation within the ranks of the membership surrounding financial support from governments. Only a few years earlier the association had explicitly rejected state funding. Still, at the 1971 annual general meeting, the membership accepted their leaders' argument that, after nearly ten years of working on a shoe-string budget, the organization desperately needed a larger source of funding.<sup>105</sup> Many other SMOs in Canada followed a similar path. The federal government provided extensive funding to a wide array of SMOs beginning in the late 1960s. Federal funding for rights associations was sufficiently pervasive that it is not an exaggeration to suggest that the state essentially bankrolled an entire network of SMOs, a trend that reversed in the 1980s when funding was increasingly cut back. The seventies were therefore an historically unique period in terms of state funding for SMOs.<sup>106</sup>

A comprehensive historical study of state funding for SMOs remains to be written, but it is clear from government records and the files of individual rights associations that the boomers received a degree of state support never before, nor since, enjoyed by SMOs.<sup>107</sup> The Secretary of State provided over \$100,000 annually between 1968 and 1981 to human rights organizations alone (funding peaked in 1977–1978 at \$995,000).<sup>108</sup> Rights associations could secure additional grants from generous federal funding programmes including Opportunities for Youth and Local Initiatives. The BCCLA, for example, received a \$65,000 grant under the latter programme in 1975 to send field workers across the province to promote human rights. A year later, the NLHRA hired four students under the former programme to conduct a survey on human rights awareness in Newfoundland.<sup>109</sup> Rights associations could also turn to the

105 UQAM, SAGD, LDL, 24P1/29, Minutes of the annual general meeting, April 26, 1971.

106 For studies on state funding for social movements in Canada during this period, refer to Clément, *Canada's Rights Revolution*; Pal, *Interests of State*.

107 Information on federal funding to individual rights associations in the 1970s is scattered and difficult to access. The following sources, however, indicate that virtually every rights association in Canada received state funding at some point, and many received funding regularly. Canada, Secretary of State, 1968–1981, *Annual Reports of the Department of the Secretary of State of Canada; National Bulletin* (later renamed *Rights and Freedoms*), newsletter published by the Federation; LAC, Canadian Civil Liberties Association Papers, vol. 4, f.3, Civil Liberties and Human Rights Associations, *Report on Voluntary Organizations* by Gilles Thériault and Michel Swinwood, March 10, 1972; British Columbia, Law Foundation, 1969–1977, *Annual Reports*.

108 Secretary of State, *Report of the Department of the Secretary of State*, 1972.

109 Both programmes were created in 1971 and discontinued in 1977. The Local Initiatives Programme was designed to fund local initiatives to benefit communities by producing previously non-existent facilities or services. The Opportunities for Youth Programme provided skills training and encouraged youths, primarily university and college students, to participate in their community.

provinces for support. The LDH received extensive funding from Quebec's Ministry of Justice in the seventies, while the BCCLA was offered block grants from the Law Foundation of British Columbia.<sup>110</sup>

The impact of state funding cannot be overstated. The LDH's founders had initially refused to accept state funding. As a result, the administrative council struggled to find a place to gather; meetings would take place in Casgrain's home or Hébert's publishing house. Hiring staff was impossible, and the lack of funding made it difficult to initiate legal challenges or other activities. The need for additional resources was made evident during the October Crisis in 1970, when the organization had to scramble to find funds to help individuals arrested under the *War Measures Act*.<sup>111</sup> As a result, the LDH accepted a \$20,000 grant from the federal Secretary of State in 1971 for operational funding. In fact, Hébert, Scott, Crépeau, and many of the founders supported the initiative; Scott, for instance, argued that it was the people's money and was a legitimate source of revenue.<sup>112</sup> Champagne and the new leaders were the ones who entrenched the practice in the 1970s, however. The LDH routinely accepted substantial government grants (provincial and federal) every year after 1971. The organization was able to rent an office and hire Champagne as full-time director, a pair of office assistants, a receptionist, and a researcher. The annual budget climbed to \$126,395 in 1975.<sup>113</sup> Membership fees barely constituted 10 per cent of the organization's revenue.<sup>114</sup> The LDH was a typical professional SMO in that state funding allowed it to expand its activities without having to mobilize a large number of members.

Once again, the experience of the LDH was a microcosm of developments occurring throughout the country. For most rights associations, state funding accounted for 80 to 90 per cent of their budgets.<sup>115</sup> With

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Law Society of British Columbia Archives, British Columbia Civil Liberties Association Papers, vol. 2, f.1, *Brief on the Community Information Project*, 1975; Centre for Newfoundland Studies, Newfoundland-Labrador Human Rights Association Papers, f. 1.03.001, budgets and financial statements of the NLHRA, 1972–1982.

110 In 1971 and 1972 the *Ligue* received less than \$1,500 in membership dues annually. In the first three years after the *Ligue* decided to apply for state funding, it received \$24,000 (1973), \$20,000 (1974), and \$40,000 (1975) from the Secretary of State and \$30,000 (1973), \$30,000 (1974), and \$40,000 (1975) from the provincial Ministry of Justice. UQAM, SAGD, LDL, 24P5/12, Financial Statements of the LDH, December 31, 1973; December 31, 1974; December 31, 1975.

111 The LDH's response to the October Crisis is chronicled in Clément, "The October Crisis of 1970."

112 The federal government sought, among other things, to encourage popular participation in national institutions and debates in response to the rise of the independence movement in Quebec. Leslie Pal explores this issue in greater detail in *Interests of State*.

113 UQAM, SAGD, LDL, 24P5/12, Financial Statements of the LDH, December 31, 1973; December 31, 1974; December 31, 1975.

114 UQAM, SAGD, LDL, 24P1/32, Minutes of the annual general meeting, February 22, 1974.

115 UQAM, SAGD, LDL, 24P5/12, Financial Statements of the LDH, December 31, 1973; December 31, 1974; December 31, 1975.

the rare exception of groups such as the CCLA, which opposed state funding in principle, virtually every rights association received funding from the state.<sup>116</sup> Rights associations in Vancouver and St. John's were fully dependent on state funding; very little of their revenue accrued from membership dues or donations. State funding also played a role in the formation of human rights associations inspired by the Universal Declaration of Human Rights. The Secretary of State provided funding in 1968 to encourage the formation of provincial human rights organizations to celebrate the anniversary of the Declaration in 1968.<sup>117</sup> The Canadian Federation of Civil Liberties and Human Rights Associations, which received annual grants from the Secretary of State to pay for annual meetings, publications, and campaigns, exemplifies the dependence of SMOs on state funding.<sup>118</sup> Members paid a pittance in fees — \$25 for each association — leaving the Federation utterly dependent on state funding.<sup>119</sup>

SMOs representing women, Aboriginal peoples, and ethnic, racial, and linguistic minorities, to name a few, received state funding in the seventies.<sup>120</sup> Ramos, for instance, links the proliferation of Aboriginal organizations to federal funding. Paul Tennant goes so far as to suggest that

- 116 The CCLA opposed state funding for numerous reasons. Many of the CCLA's leading figures, including Eamon Park, Alan Borovoy, and Harry Arthurs, believed that state funding created a perception of bias in favour of the state; others claimed that it discouraged bold and imaginative leadership. A full discussion of the CCLA's position on state funding is available in Clément, "An Exercise in Futility?"
- 117 According to the 1969 annual report of the Secretary of State, the human rights "division had the responsibility for mobilizing the national effort through activating the myriad voluntary organizations throughout the country" (Canada, Secretary of State, *Report of the Department of the Secretary of State*, 1969). See also Canadian Commission, *International Year for Human Rights 1968 in Canada – Report of the Proceedings, National Conference on Human Rights and Activities of the Canadian Commission*, 1969.
- 118 The Federation began with a budget of \$9,825 in 1971–1972; only \$325 was raised from membership fees. In 1973 the Federation secured \$15,000 from the Secretary of State for core funding and \$375 in membership fees. By 1975 the group was increasingly successful in securing federal grants; six of its seven applications, totalling \$51,169, were approved. In 1979 the Federation received another large grant of \$50,000 from the federal government; membership fees totalled \$225. *National Bulletin*, vol. 1, no. 2 (August 1972); *Rights and Freedoms*, no. 21 (March 1976); UQAM, SAGD, LDL, 24P2b/19, *Third Annual Report of the President of the CFCLHRA*, 1975; UQAM, SAGD, LDL, 24P2b/21, *Seventh Annual Report of the President of the CFCLHRA*, 1979.
- 119 Don Whiteside, a key figure in the Federation, expressed in his 1975 presidential speech concern over the recent disappearance of seven rights associations. He attributed the demise of these organizations to the lack of funding from the Secretary of State. By the late 1980s the Federation itself lost all of its funding and was soon defunct. *Rights and Freedoms*, no. 19 (September 1975); Ross Lambertson, August 26, 2003.
- 120 For a case study of how state funding could threaten the independence of an SMO, refer to Sharon D. Stone and Joanne Doucette, "Organizing the Marginalized: The Disabled Women's Network" in Frank Cunningham, Sue Findlay, Marlene Kadar *et al.*, eds., *Social Movements / Social Change: The Politics of Practice and Organizing* (Toronto: Between the Lines, 1988).

the early growth of Aboriginal organizations in the 1960s was “almost entirely dependent upon government funding.”<sup>121</sup> Organizations as diverse as the National Action Committee on the Status of Women, the Black United Front, the Multicultural Association Council of Saskatchewan, the *Fédération des francophones hors Québec*, and the Just Society Movement received generous financing by the state.<sup>122</sup> In each case, the long-term survival of the organization depended on state funding.

### Conclusion

State funding, ideology, education, wealth, technology, and demographics represent only some of the factors distinguishing the two generations of rights associations. The radicalism of the sixties and seventies produced new strategies for change, new grievances to mobilize social movements, and innovations in organization and communication. To be fair, a study of SMOs can never fully capture the ferment of the period. With the proliferation of rape crisis centres, gay pride parades, recycling campaigns, civil disobedience, anti-poverty demonstrations, women’s bookstores, transition houses, and myriad other forms of protest, SMOs represented only a small part of the social movement landscape. Moreover, although the proliferation of SMOs was truly impressive, in truth most people preferred to stay home and watch television. The largest rights association in Canada, the Canadian Civil Liberties Association, had fewer than 3,000 members. In his famous book *Bowling Alone*, Robert Putnam links the decline in civic participation to the boomers (and television), a development that was likely facilitated by the abundance of professional SMOs that placed a low priority on mass mobilization.<sup>123</sup>

121 However, Ramos argues that state funding was detrimental to the Aboriginal rights movement: “Reliance on government funding, allocated to specific status groups, led to divisions among Aboriginals and presented a major obstacle to Pan-Aboriginal mobilization or identity formation. . . . As a result, like reliance on core funding from the federal government, pursuit of political-legal and Constitutional opportunities led to competition and divisions among organizations, again inhibiting broad based mobilization” (Ramos, “What Causes Canadian Aboriginal Protest?” p. 227; Tennant, *Aboriginal Peoples and Politics*).

122 Except for Leslie Pal’s study and my own work on rights associations, there is very little work on the history of state funding for advocacy groups in Canada. Some historians, however, have engaged with this issue as part of a larger study; see Tennant, *Aboriginal Peoples and Politics*, chap. 12–13; Margaret Hillyard Little, “Militant Mothers Fight Poverty: The Just Society Movement, 1968–1971,” *Labour/ Le Travail*, vol. 59 (2007), pp. 179–198; Ramos, “What Causes Canadian Aboriginal Protest?”

123 Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Shuster, 2000), chap. 9. Staggenborg also suggests that “when movements rely mainly on paid staff along with financial contributions from ‘paper members,’ participation from large masses of people is less critical” (*Social Movements*, p. 30).

Yet, in any given year, at least 15,000 to 20,000 individuals were members of one of the dozens of rights associations in Canada.<sup>124</sup> This rate of participation was a significant change from the elite associations created by Scott and others before the 1960s. True, grass-roots social movements were hardly unique to this period. What had changed, however, was the demographics of social movements, the new issues that inspired activists, the availability of new technologies, the unprecedented wealth that fuelled mobilization, and the provision of extensive state funding to support the creation of SMOs. These developments had a profound impact on the dynamics of social movement mobilization and organization.

Youth played an important role in these developments, but youth alone were not responsible for this transformation. Many of the more notable figures in the early human rights movement, such as Frank Scott and Kalmen Kaplansky, continued to play key roles in the movement.<sup>125</sup> After Scott and Hébert left the LDH, other veteran activists, including Boyer, Mergler, and Cormier, replaced them. Doug Owrarn acknowledges in his study of the English-Canadian student movement that “many of the best-known radicals of the decade were pre-boomers.”<sup>126</sup> Moreover, as François Ricard recalls for Quebec (and as Keniston also suggests for the United States), “le discours de la génération lyrique, en ce sens, est un discours essentiellement emprunté, mimétique, qui reprend les paroles déjà prononcées et « dépense » librement un capital conceptuel déjà accumulé par ses prédécesseurs.”<sup>127</sup>

The period in which the boomers reached adulthood was a time when social movements underwent a significant transformation. Perhaps it would be more accurate to suggest that a confluence of factors during this period, of which the postwar demographic bulge was one, facilitated the proliferation and transformation of SMOs on an unprecedented scale. The combination of a demographic wave and structural changes transformed social movements. In essence, the boomers were the catalysts, and in some cases the participants, in a historically unique phenomenon.

124 Clément, *Canada's Rights Revolution*.

125 For a history of Kaplansky's role in the human rights movement, refer to Ross Lambertson, “The Dresden Story: Racism, Human Rights, and the Jewish Labour Committee of Canada,” *Labour/ Le Travail*, vol. 47 (Spring 2001), pp. 43–82.

126 Owrarn, *Born at the Right Time*, p. 160.

127 Ricard prefaces this statement with the following: “Sur la société, le moi ou la culture, les discours enflammés des années soixante-dix et quatre-vingt ne proposent pratiquement aucune idée, aucune théorie qui aille ‘plus loin’ ou qui se démarque véritablement de ce qu’il faut bien appeler la tradition intellectuelle et artistique moderne, c’est-à-dire les idées et les théories élobrés dans les cercles le moins novateurs d’Europe ou dans États-Unis depuis la fin du dix-neuvième siècle et qui avaient fait l’objet, à compter de la Deuxième Guerre mondiale notamment, de mises au point et de reformulations ayant largement contribué à accroître leur dissémination” (*La génération lyrique*, pp. 206–207). See also Keniston, *Youth and Dissent*, pp. 100, 346.