
Statement to Nova Scotia Law Amendments Committee
Concerning **Bill No. 15 - Viola Desmond Day Act.**

As President of the Black Cultural Society I wish to express complete support for reducing the present day impact of the historically careless treatment of African Nova Scotians by governments. In particular, Premier Dexter's public apology and recognition of the wrongful use of our judicial processes in the 1946 case of Mrs. Viola Desmond is a welcomed change of direction. We applaud and encourage this change. It recognizes a past misuse of public resources to enforce racial discrimination in Nova Scotia.

The apology and invocation of the Royal Prerogative of Mercy to grant a free pardon for Mrs. Desmond is important acknowledgment that Mrs. Desmond did no wrong. It gives her family official recognition of that. The fact that governments had not done this over the past 60 years is an indication of the monumental resistance that impedes recognizing errors of the past. The Black Cultural Society thanks the government, the ministers and all members of the Legislature who overcame that resistance. Likewise, we strongly encourage the Legislature's consideration of an ongoing observation based on Mrs. Desmond's case.

With specific reference to the Bill being considered today, the Black Cultural Society fully supports establishing an annually recurring public "day" to keep all citizens aware of the need to work on equality of rights in Nova Scotia. We thank the framers of Bill 15 and the members of the legislature who have participated in the legislative debate for getting it through Second Reading. If called upon, the Black Cultural Society and the Black Cultural Centre will help with the refining and improvement of this Bill in any way that we can.

However, the Black Cultural Society believes that November 8 is not the date to observe because, when coupled with Mrs. Desmond's name, that date draws attention to her being assaulted at the theatre rather than to larger issues. We believe that Bill 15 has the potential to focus public attention on the multitude of racial intolerances which still need to be eradicated, not just one 1946 incident. Nova Scotia's long record of racial discrimination still produces human rights denials, uneven treatment by the justice system, cultural bias in health systems, complaints of career advancement denial and disproportionate under-representation in positions of influence. We believe that Mrs. Desmond's ordeal is part of the chain that continues to manifest itself today in this province. We encourage the

Legislature to give more thought to broadening the scope, image and profile of the observances implied by Bill 15.

I do not come to promote any specific recommendation for the form of the annual observance to include in the Act. However, the People of Nova Scotia, particularly those with African Nova Scotian heritage, have been affected by racial intolerance and, no doubt, have ideas that could lead to a more widely recognized appropriate observance. For example, Nova Scotia might implement a permanent, high profile, "Viola Desmond" event on March 21, the International Day to end Racial Discrimination, or on Dec 10, International Human Rights Day. Another possibility is to create an academic "Viola Desmond" fellowship to encourage African Nova Scotian scholarship and which could be announced on one of those special days. We are confident that public consultation carried out by the Office of African Nova Scotian Affairs would reveal innovative, meaningful, ideas which would go further than simply naming a day to remember Mrs. Desmond. We believe that such consultation will greatly improve the specifics of the Bill that is under consideration by encouraging thoughtful reflection on the issues under government control that continue to restrict the lives of African Nova Scotians.

Our laws and practices yielded the racially restricted movie theaters highlighted by Mrs. Desmond's 1946 challenge. Our racially separated schools, racial exclusion practices in restaurants, housing, employment and services were common into the 1960s. The impact of state-supported inadequate and unequal education was reinforced by exclusion of Blacks from training programs in fields such as medicine, nursing, law and commerce. By supporting those racist practices in 1946, Nova Scotia courts failed Mrs. Desmond individually and all Nova Scotians collectively. They encouraged yet another ambitious African Nova Scotian to ultimately leave the province to find acceptance elsewhere and sent a strong negative message to all African Nova Scotians that they should "stay in their assigned place".

We request that you consult African Nova Scotian citizens on the appropriate details for Bill 15 to focus this legislation effectively on human rights, racial equity and proper use of power. We believe that valuable input based on the experiences of citizens who have been affected by racism is available.

Respectfully submitted by
Leslie Oliver, President
Black Cultural Society of Nova Scotia