

RAMINDER K. HAYRE

## The Impact of the Indian Farmers' Movement on Canadians

India is currently holding the largest peaceful protest in history. Over 12 million protestors are inhabiting various borders on the streets of Delhi (India's capital) in tents, tractors, and trucks. Thousands of individuals have joined from other parts of India, alongside the world's brown diaspora. Since November 2020, protests have occurred for 1) The right to a democratic and peaceful protest, and 2) For the repeal of laws, which millions of people believe will be detrimental to the lives of Indian farmers.

These laws were passed during COVID without consultation of farmers, and opposition parties. In short, they do not guarantee farmers a minimum support price for their crops (previously regulated), they restrict farmers from going through a dispute in court, and allow corporations to withhold monies owed.

When you think of a democratic protest, do you picture water cannons, batons, tear gas, and police brutality? This is how their rights have been defined on several occasions under S.19 of India's Constitution, which allows for a peaceful protest without arms. This may seem far away, but the last 90+ days have shown that this movement involves worldwide oppression, discrimination, and barriers when cultural competency is not practised. Many South Asian lawyers in BC are first or second-generation Canadians — many having ties to farming in India.

As Canadian or British Columbian lawyers, the right to a democratic process is at the forefront of our practice, the judiciary, and the rights of the public at large. What has become apparent is that the [perceived] duties that lawyers may uphold as advocates for society, is diminished when freedom of information, and expression is tampered with.

Both online and television news outlets have spread misinformation, and have taken a strong tone by calling Canadian protestors extremists. Their attempts for the release of rapid information fell flat as they spread propaganda to the masses. This has had long-lasting effects as protestors in Canada have had to correct the media. If the legal profession chooses to ignore this, then only the layperson will seek justice and accuracy. BC law-



**In order to understand our clients, we have to find ways to empathize or educate ourselves in their experience.**

yers take an oath that includes, “upholding the rule of law and the rights and freedoms of all persons according to the laws of Canada and BC.” The law — is arguably the truth.

How this plays a role in “cultural competency” may seem convoluted, but it is simple. Lawyers apply the Canadian *Charter*, and within that

comes the safeguard of not being discriminated against. The lack of awareness around how discrimination exists in different demographics is crucial to having a well-rounded understanding of the professionals we work alongside, and the general population we aim to represent too. In order to understand our clients, we have to find ways to empathize or educate ourselves in their experience. Telling one that the situation is foreign, means that lawyers restrict what it takes to “fit in.”

The intersection of oppressive factors like race, religion, socioeconomic status and so forth are concerns that the legal profession has been addressing when it comes to addressing, “unconscious bias” as a systemic barrier. This resistance is both within our professionals and systems, but also with access to justice.

The world looks to Canada and progressive provinces like BC to see how individuals that, “want equality,” are treated. Though there is arguably a long way to go with establishing protocol for equitable change, dismissing the voices of those abroad as “international and not global concerns,” will inevitably redefine our melting pot and multicultural country as one of privilege and oppression. Those that are immigrants, and refugees will be forced to assimilate at rapid speeds. Lawyers are “public doers.” If racialized individuals are told that their voice is not attributable to the Canadian democracy, how is the profession culturally competent?

Raminder K. Hayre is a commercial litigator in Vancouver, and was called to the BC Bar in 2018.