

The Reasonable Accommodation Controversy in Quebec Asset or Obstacle to Intercultural Rapprochement?

Professor Marie McAndrew

Canada Research Chair in Education and Ethnic Relations, Université de Montréal
Montreal, Quebec

INTRODUCTION

In a work dedicated to teaching about the Holocaust and the importance of remembering attacks on human rights, it may seem strange to discuss the recent controversy in Quebec about the place of cultural and religious diversity in public institutions. However, the request that the editors of this volume made of me seemed fully justified. In fact, although we like to think that understanding history means we can avoid repeating it, it is a proven fact that it is much more difficult to judge the present, with all its topicality and complexity, than the past. As we can see in the other articles in this volume,¹ what seems clear to us, with the distance of time, is a failed obligation to react and to be in solidarity with marginalized or attacked groups, which was not always clear when the events occurred. However, the alternative solution, which some lobby groups adopt, of denouncing any debate on immigration or diversity as potentially negative or even racist, hardly meets the requirements of democratic deliberation. It is completely legitimate for politicians, opinion makers and average people to reflect together about the balance between that which must unite them and that which distinguishes them as well as on their reciprocal obligations in the civil society and public institutions that they share. But, as the recent Quebec debate and other controversies affecting Canada and European countries have demonstrated (Bader 2005, Bauberot 2006, Kymlicka 2007 and Modood 2007), such forums open the door to deviations in which some groups may be taken up as scapegoats. Furthermore, some opinions already corresponding with the first levels of racism may be expressed more freely than on other occasions.

The purpose of this article is not to form a peremptory and definitive conclusion on the impact of the Bouchard-Taylor Commission on the state of Quebec intercultural relations. In fact, it appears to me much too soon to decide if that exercise we underwent for nearly 18 months will have helped overall to clarify the ins and outs of diversity in public space, and consequently to strengthening the links between the people of Quebec of all origins, or inversely, has crystallized latent tensions, which would slow down the process of reconciliation and production of a mixed identity, which began nearly 30 years ago. After recalling the context, saga and major characteristics of the commission

and its work of granting particular importance to the two most targeted groups in the public debate (Jews and Muslims), I am instead going to centre my analysis on the commission's report and on its implementation. First, I will discuss the report's strengths and weaknesses and then the type of impact it has had on public authorities and community organizations. In conclusion, I am offering an interpretive essay on the meaning to be attributed to the crisis we have just experienced and some possibilities for what the future may hold.

THE REASONABLE ACCOMMODATION CRISIS IN QUEBEC

Context

The place of diversity in public institutions raises complex challenges all over Canada. Because the courts have considered religious diversity to be a legal obligation in public institutions,² reconciliation of the various rights people possess has been the order of the day, especially with regard to the equality of the sexes. Thus, there have been some "veil crises" in Quebec and significant debate on Islamic courts in Ontario (McAndrew 2006 and Kymlicka 2007). In the post-September 11 context, some have denounced the danger of marginal groups that use religion in a political or identifying way trying to advance a "fundamentalist" agenda while others, specifically the managers of public institutions, without necessarily being opposed to a reasonable consideration of diversity, are concerned about the collective impact of adding individual exceptions to institutional operations. Theoreticians of democracy have also bemoaned the impact of the growing use of the courts in matters related to relations among individuals (Tully 2006; Baning Courchesne and Seidle 2007; Milot 2008).

As I will discuss later, in Canada and several European countries, the concerns usually raised about recently arrived groups, more specifically Muslims, to a lesser degree, Sikhs, and very rarely about groups like the Jews that arrived earlier, are fairly significantly different from the Quebec dynamic. Furthermore, compared to the rest of Canada, there is no doubt that the debate about the place of cultural and religious diversity in the public space has been more intense in Quebec even though the presence of people of origins

other than French, British and Aboriginal is less pronounced there than in the other provinces. In fact, since the end of the 1980s, some 10 years after the adoption of *Bill 101*, there has been a significant multiculturalization process in the Francophone group and its institutions, the Quebec government and some of its advisory agencies having published about 15 documents totally or partially dealing with this issue (MCCI 1990 and McAndrew 2008). Furthermore, before the Bouchard-Taylor Commission, in the late 1990s, the *Conseil des relations interculturelles* had conducted a broad consultation on the place of pluralism in the Quebec identity (*Conseil des relations interculturelles* 1997).

That intensity seems to me to have a particular historic heritage but also reveals some of the characteristics or limitations of government action. First, we must remember that the people of Quebec who are of French-Canadian origin have a specific and usually more negative relationship with religion than people in the rest of Canada. That has to do with Quebec's late secularization and the significant political power the Catholic Church held for a long time there. For most people born before the 1960s, in fact, the association between religion and public space evokes bad memories or at least memories that are incompatible with their democratic ideals. The secularization of institutions, and more specifically of schools, is an even more recent phenomenon. The transformation of religious school structures into language school structures was in 1998, and the abolition of the privileges granted to Catholic and Protestant religions in the school system was only in 2007³ (Lefebvre 2008 and Racine 2008). Therefore, we can easily understand the wide perception that we are "just getting rid of the crucifix in schools only to bring in the kirpan and hijab," even though it is mostly false because it confuses the secularism of the institutions with the secularism of the individuals who attend them. The nature of the debate is also influenced by the largely incomplete development of an inclusive Quebec identity (Juteau 2000 and McAndrew 2001). In fact, although intolerance is not more pronounced there than elsewhere in Canada, ethnic boundaries have long been even harder to penetrate in Quebec, since the majority group remains mostly homogenous, while minority groups prefer to assimilate with the dominant Anglophone minority. The issue of cultural and religious diversity is then often confused with the issue of immigrant integration, while civic values are often absorbed in the cultural heritage of the majority alone. These two elements attest to a flagrant absence of memory about the contribution of religious minorities, notably Jews, in Quebec history. Positions on diversity are also marked by a significant intergenerational division, "the children of

Bill 101" having a much more heterogeneous and pluralistic identity than their parents do.

But history alone cannot explain the concern that many people in Quebec express with regard to the rapid transformation of their society. That would absolve our politicians too easily. Whatever their political family,⁴ they have systematically underestimated the importance of identity issues and of the fears experienced in certain environments with regard to the turn to multiculturalism, especially in homogenous regions where people are spectators, most of the time via the media, to the pluralistic transformation of Montreal. Despite the number of normative positions on interculturalism, public authorities have not developed an overall consistent strategy on intercultural relations. The general public still knows little about the gains and boundaries of institutional adaptation to diversity (McAndrew 2007a and 2009). Because the immigration issue has not had major media coverage, operations behind closed doors through parliamentary commissions or consultations limited to a circle of parliamentary commissions or consultations limited to the circle of government authorities and directly involved pressure groups has generated a false feeling of security. In fact, public opinion appears to be generally in favour of current immigration levels and aware of the positive contribution of diversity.⁵ However, starting in the mid-1990s in the context of an active strategy to increase Francophone immigration, Quebec became the Canadian province in which there were the most Muslims among recent immigrants (MICC 2009a). They have accounted for nearly 40% of the flow in recent years, which, in the post-September 11 context, has had the effect of making the issue of religious diversity more visible.

The saga

Nevertheless, the main impetus of the reasonable accommodation controversy that shook Quebec from March 2006 to May 2008 did not concern the Muslim community, but Sikhs wearing kirpans in public schools did.⁶ Since 2002, in fact, a legal dispute had been pitting a West Montreal school board against a family claiming that their son had the right to wear the kirpan (Sikh ceremonial dagger) within the boundaries that lower courts had already set (in Ontario, for example) in the 1990s.⁷ In March 2006, the Supreme Court confirmed the legitimacy of such a solution and ruled against the school board, which argued that the other students' right to safety must have precedence over the right to display one's religious beliefs (*Multani v. Commission scolaire Marguerite-Bourgeoys* 2006). Overall, the media treatment of this judgment was nuanced and

balanced, and although there was opposition, it was not expressed in terms that could be described as a philosophy of racialization and exclusion (such as stereotypes, dichotomization, demonization, etc.). However, radio call-in lines and opinion letters, the tone of which often deteriorates in these matters, revealed a great potential for popular dissatisfaction (Potvin, Audet and McAndrew 2008). This seems to have later encouraged the Francophone media, then going through a business war between the two major empires comprising that market, to dig further into the issue.

From September 2006 to March 2007, as the Bouchard-Taylor Commission report demonstrates very well, we experienced a media campaign that hunted reasonable accommodation where one alleged new scandal followed another from one day to the next, and sometimes even the same day (the Consultation Commission on Accommodation Practices Related to Cultural Differences (CCPARDC) 2008 and Potvin 2008). The report includes 35 cases, mostly dealing with Jews and Muslims and distinguished by sensationalistic coverage that nearly exclusively focused on excesses and problematic cases. In the case of the Jewish community, the most covered issues were the frosted windows at the YMCA at the Hasidic community's request, the provision of home care during the Sabbath, the reduction of parking requirements near Outremont synagogues and the recommendation, in a police training module, to systematically deal with men (not women) during contacts with the Hasidic community. Among the most problematic elements in the media treatment and even more so in people's reactions, we can especially point out the use of non-inclusive and polarizing language (us/them), the nearly exclusive association of reasonable accommodation with immigrant integration⁸ and the tendency to associate voluntary adjustment or simple agreement among neighbours⁹ with reasonable accommodation in the legal sense imposed by the Canadian constitution (McAndrew 2007b).

This period was also marked by the legitimization of anti-immigration or anti-diversity discourse in the political space, even though it had been limited up until then to restricted circles in the civil society (Maclure 2008 and Potvin 2009). In fact, the crisis had been inflamed by the positions of the leader of Action démocratique du Québec (ADQ), Mario Dumont, who attacked, at least at first, not the Liberal government in power but the Parti québécois (PQ), which he accused of having become a Montreal urban party [translation] "on its knees before minorities" under the influence of André Boisclair, the young leader who was both a homosexual and one of the "children of Bill 101." First, the Liberal Party seemed to have considered

this ADQ/PQ competition over who was "the best defender of Quebec identity" as playing in its favour. Its immobility and wait-and-see policy when faced with the accumulating deviations could be explained by that short-term analysis, but they also probably came from the discomfort the Liberal Party has always displayed in its positions on identity issues, although it could have easily set things right.¹⁰ It was not until the winter of 2007, during an election campaign in which it appeared that Mario Dumont was going to capture the Liberal vote that the government decided to enact by creating the Bouchard-Taylor Commission. As all observers of the public scene recognized, its objective, albeit implicit, was to "cool off" the issue of the place of cultural and religious diversity and above all to remove it from the electoral campaign agenda.

The Commission and its work

To do that, the Quebec government appointed two extremely respected intellectuals and provided them with significant means. Their mandate was focused and well-defined. They were to prepare a description of accommodation practices and associated issues and conduct a vast consultation and produce recommendations compatible with Quebec's fundamental values. The committee carried out various activities (research, polling groups and meetings with experts and organizations representatives). The high visibility and major popularity of the public consultation obscured those activities. The commissioners received more than 900 written submissions and testimony from 241 ordinary people. They had 31 hearing days in 15 regions, and their interactive website had approximately 40,000 visits. Furthermore, all of those consultations had the benefit of daily media coverage at major listening times (CCPARDC 2008).

Despite that popularity, some universities and minority group spokespeople criticized several aspects of the commission. On the one hand, they accused the commissioners of not being very representative of the Quebec population and its diversity of gender, age and ethnicity. We can imagine that it was the government's conscious choice (in appointing two wise old men apparently above the fray) to de-polarize the issue, but, as opposed to a more representative commission with more members, this choice could have inhibited the identification of the people testifying about diversified role models and the development of a consensus considering the various normative positions within the society during preparation of the report. On the other hand, the commissioners decided to reinterpret their mandate much more broadly by including, as consultation subjects, the

issues of secularism and religion in public space and the status of immigrant integration, intercultural relations and identity concerns with regard to the evolving Quebec culture. We can understand their decision in the context in which the debate had already been greatly sensationalized with regard to all of those issues. In doing so, they played sorcerer's apprentices, because holding a consultation about an issue as huge could only generate sensationalism. Furthermore, claiming to provide an accurate and supported depiction of all of those issues, even with the significant budget they had, was hardly realistic.

From all of the written submissions and testimony presented in the hearings, we can first see that the French-Canadian origin majority was clearly divided around three ideological poles that are difficult to reconcile (McAndrew 2010 and Macdure 2008). The pluralists, dominantly represented among the written submissions from organizations but also represented in testimony, especially from young people and Montrealers, essentially situated themselves in the wake of the intercultural approach developed in Quebec over the past 30 years. They recognized the legitimacy of a modulation of public action based on people's ethnicity and religion while sometimes asking for clarifications about the boundaries to be respected in that regard. Several also took a critical look at the artificial nature of the crisis or at least deplored some of the sensationalism around it. As for the republicans, a minority with regard to the written submissions but clearly dominant in the testimony, with only some exceptions, they usually did not express overtly stigmatizing or anti-immigration words but demanded reinforcement from the neutrality of public institutions through the adoption of a stricter secularism like France's. In this camp, one encountered numerous feminists concerned about the potential erosion of the gains made toward gender equality and the effect of too wide an opening in religious diversity and various nationalist representatives who seemed to identify that issue as one of the elements of a specific Quebec identity. Finally, the traditionalists, who were in the extreme minority with regard to the written submissions¹¹ but were represented relatively significantly in the testimony, notably from middle-aged individuals amongst them, demanded a better recognition of the centrality of the Christian heritage in the Quebec identity. Paradoxically, they often demonstrated more openness than the republicans about considering minority religions in public institutions to which they would willingly grant the status of *dhimmi* as long as the predominance of Quebec's traditional religions were assured. It was also in this camp where there was the most confusion between civic values and the majority

cultural heritage and the greatest factual errors on immigration and the characteristics of Quebec's diverse communities.

In that regard, several expressed concerns about the commissioners' decision not to react to what often appeared to be a huge disinformation forum that a significant number of television viewers were watching. In fact, they satisfied themselves with simply opposing the overtly racist and discriminatory words without rectifying the errors (Ancil 2008). However, a commission analysis (CCPARDC 2008) shows that the media magnified the negative testimony and that, in fact, most of the remarks remained moderate. It is also interesting to observe that minority communities participated very widely in the various forums in both Montreal and the regions. That was the case for the Muslim and Arab community, for example, which was extremely well represented via its organizations and numerous individuals. As for the Jewish community, it seemed to have suffered from its high degree of centralization, or perhaps from the lower visibility of the individuals who form it. It was mostly umbrella organizations that positioned themselves in the debate while the presence of average people identifying themselves as Jews was limited.

CRITICISM OF THE REPORT

Strengths and weaknesses

Considering its writers' intellectual stature and the scope of the work and consultations it conducted, it is clear that the report entitled *Building the Future: A Time for Reconciliation* is a masterpiece, the richness of which remains largely unexplored. It has strengths at several levels. For example, one must emphasize the extremely articulate and persuasive deconstruction of the commissioners' conduct on the crisis and its media coverage and their status report on reasonable accommodation, which are a true reality check. They demonstrate that, as opposed to the dominant perception, demands were stable, not increasing, that those making the demands were of diverse origin, with a majority of Christians and not Muslims and Jews, and that various public institutions had already clearly set out and implemented numerous boundaries around the place of religious diversity in those institutions even though stakeholders had insufficient knowledge or understanding of those boundaries.

The commissioners also demonstrated great wisdom in resisting the temptation of pronouncing "from now on" ...or a clean slate. They clearly situated the report in the continuity of Quebec society's choices over the past 30 years with regard to the specific issue of secularism and the larger

issue of intercultural relations. In the first case, they illustrate the relevance of an open secularism model as opposed to a rigid secularism that would exclude individuals from expressing their religion in public space or even reject the legitimacy of some symbols associated with the majority's cultural heritage. In this regard, they went beyond multicultural otherworldliness by recognizing that, although the majority does not have any specific rights associated with earlier establishment, it is normal for it to exert a preponderant influence in defining institutional identity and standards due to the weight of its history and number. Without also clearly opposing multiculturalism, the report develops an original position with regard to defining what is reasonable in public institutions and on the legitimacy of sometimes limiting government employees' expressions of religious identity. In cases of conflicting values, the commissioners propose reintroducing common public values in the heart of the concept of excessive limitation, clearly taking a position in favour of equality between men and women and encouraging concerted harmonization practices rather than court proceedings.

In a broader way, the report also reaffirms the legitimacy of the Quebec model of interculturalism based on the common French language of public life, participation and the struggle against discrimination and promotion of pluralism combined with the need for dialogue and respect for fundamental democratic values. However, the commissioners were critical with regard to the model's achievement on the ground. Therefore, the report convincingly illustrates the inequalities and discriminations affecting immigrants and members of minorities and the majority's identity concerns and prejudices. The report also contains some interesting recommendations on those issues.

However, despite its richness, the report is not without weaknesses. First of all, its extremely broad approach, in which more than half the pages are devoted to immigrant integration, could reinforce the idea that religious diversity or reasonable accommodation are only associated with the presence of communities without historic roots in Quebec. That characteristic is accentuated by the absence of Quebec Anglophones and Aboriginals, who nonetheless widely participated in the consultation.¹² The report also often uses disputed categories or at least disoriented ones with regard to the reality of the racial mixing experienced, for example in Montreal and among young people, where and among whom there are both many native Francophone and immigrant French-Canadians/Québécois/es. In this regard, the choice was not easy, because most of the testimony and written submissions, in fact, illustrated that pluralistic transformation had not taken place in various social sectors. The use of

such categories could then seem to reflect reality, but there is also the obvious risk of crystallizing differences. Last, one must also bemoan the fact that the report is more intellectually persuasive than politically strategic. It is too long (310 pages), and almost always (except, for example, the chapter on deconstructing the crisis), its style is academic and not very trenchant. It does not contain much emotion or mobilizing effect. Furthermore, it is tremendously favourable toward the pluralist position and not very accommodating with regard to the republicans and traditionalists' concerns that, in fact, probably constitute those of the majority of the Quebec population.

What is the impact a year later?

When it was released, the report received a lukewarm welcome, especially since some marginal parties, who among other things proposed giving the English language a greater place in Quebec had been "sunk" even before its official publication. However, a large majority of Quebec and Canadian editorialists and columnists and municipal and civil society authorities experiencing the issue of diversity declared themselves in favour (Pratte 2008 and Radio-Canada 2008). That was also the case for Quebec and Canadian federalist parties and some sovereigntist parties, like the Bloc québécois and Québec solidaire. However, the political bodies at the root of the crisis (ADQ and the Hérouville municipal council) and Pauline Marois' Parti québécois, falsely aligning itself with the much more open position of its predecessor, André Boisclair, were much more critical (Shields 2008). They complained that the report was essentially a "politically correct" document not responding to the problems raised among the population. It was also the position of most people expressing themselves on radio call-in lines, who were particularly negative with regard to some of the recommendations (the famous crucifix being removed from the National Assembly "only to bring in the veil").

Shortly after publication of the report, an Association of Canadian Studies survey (Jedwab 2008) showed that public opinion "bought in to some of the report's findings, such as the crisis being artificial and media-produced and the need to be more open to "the Other." However, that opinion rejected its normative premises and more significant recommendations. People continued, for example, to affirm that minorities should assimilate or even the non-Christians posed a threat to Quebec culture. Overall, attitudes were more positive among non-Francophones, Montrealers and young people, which is not so surprising, but also among the elderly, which certainly requires further explanation.¹³

The political response was extremely limited. In the wake of its traditional strategic position of making the fewest possible waves among the Francophone majority while granting subtle but real benefits to its ethnic clients, the Liberal government left the report on the shelf but carried out a series of concrete actions intended to appease the French-Canadian majority or to respond to some of the problems minorities experience. In the first instance, before the hearings were even held, the premier had already announced that the government would modify the Charter of the French Language to ensure the pre-eminence of equality between men and women over some other rights,¹⁴ and the day the report was filed, he stated that the crucifix would remain in the National Assembly (Radio-Canada 2007 and 2008). More recently, the government imposed the obligation on new immigrants to sign a moral contract under which they agree to respect Quebec social values¹⁵ (MICC 2009b). At the same time, it implemented a series of interventions in favour of cultural communities on non-contentious issues such as a socioeconomic integration plan for newcomers and an anti-discrimination/racism policy. However, this latter initiative was not very well known among the general public (which may or may not have been the government's intent) because it was initiated at the same time as the famous moral contract. Various non-intrusive training and instrumentation initiatives for managers and public administration interventions on religious diversity were also implemented.

Nonetheless, the government continued to refuse to clarify Quebec secularism and intercultural relations policy, so the ambivalence and contradictions in statements from Liberal ministers and MNAs abounded. In those statements were found roughly the same limits as those for the public debate: shifting usage of "us and them," the confounding of civic values with majority ethnic values, the absorption of the reasonable accommodation issue with the issue of immigrant integration or even a confusion between secular institutions and secular individuals. As for PQ opposition, the PQ for the most part having eclipsed the ADQ, it continued to use the issue to their advantage, for example by advocating the necessity of independence to protect a "Quebec model" threatened by "multiculturalism." This was especially obvious in May 2009 when, during a new controversy about employees wearing the veil, the Fédération des femmes du Québec suggested respect for wearing it in order to avoid even more marginalization of Muslim women.¹⁶

Except for this recent debate, the reasonable accommodation issue completely disappeared from the agenda in the last year, and was more mobilized by social issues, for example following the Montréal-

Nord riots, than by cultural or religious issues. For some, it is a sign that the commission has had a cathartic effect and that the Quebec population has returned to its characteristic moderation. My reading of the current dynamic and notably of the speed at which some controversies seem to resurface has led me to believe instead that the Pandora's Box has been only partially reclosed.

The Bouchard-Taylor Commission certainly advanced the debate. Therefore, when we analyze their positions on employees wearing the veil, it seems that most editorialists and journalists better understand and further support the open secularism model. In general discourse, including that of average people, the complexity of the Muslim community seems to be better recognized, which could confirm that its massive participation in the public consultation has had a positive impact.¹⁷ Furthermore, the distinction between immigrant integration and religious accommodation is more present because the fact is now out that Christians, not Muslims and Jews, often demand accommodations be made for them. Conversely, the stability of the stereotype of the fundamentalist threat and its impact on women is remarkable, but the alliances in this regard seem to have changed. Anti-veil Muslim women have been at the forefront, and there seems to be more of an alliance between feminists of all origins and nationalists in favour of a stricter secularism. The discourse of those opposed to considering religious diversity also seems to have become more sophisticated. The enemy is no longer the Other, because they went looking for several representatives of it in its own camp,¹⁸ but Canadian multiculturalism and the university elites selling it.

Minority groups seem to be more divided than ever. Among recent predominantly Francophone and Francophile immigrants, there is a fear of being marginalized, for example because the issue of religious diversity is constantly being prioritized at the expense of more significant economic integration issues. Furthermore, the honeymoon with Quebec society, which those emigrants idealized because they had compared it to French society, seems to be over. They now understand there is a significant gap between government positions that are generally favourable to pluralism and the degree to which those positions are disseminated through the population. In communities that have been here longer, although for the last 30 years they have begun to have more confidence in the emergence of a more inclusive Quebec identity, some concerns about potential regression are expressed (McAndrew 2007a and Goldbloom 2008). However, it is not an issue here of a monolithic opinion. We can believe, in fact, that many would not be opposed to having a discussion in Quebec on the potential

sensationalism around fundamentalism, especially if it would focus mostly on Muslims.

IN CONCLUSION, AN INTERPRETIVE ESSAY

In my opinion, the Quebec intercultural relations model has not been disputed over the past two years due to its failure, but rather due to its success. Of course, the generous intentions conveyed in public discourse over the last 30 years have still not been satisfactorily disseminated on the ground, especially outside Montreal and the most directly concerned sectors. However, the data in this regard are very consistent, since the observed limitations have more to do with the economic integration of immigrants than with the degree of their linguistic and cultural integration (MICC 2005 and CCPARDC 2008).

The reasonable accommodation crisis, which appeared to stem from a failure to integrate those plans, seems to have gone mostly nowhere, as attested by the very positive daily experience of a very large portion of Montrealers and the conclusions of the Bouchard-Taylor Commission report. There was not and is still not today a major intercultural relations crisis in Quebec or even an integration model crisis. Something else is happening, and it has to do with the anxiety associated with identity transformation. In other words, if the intercultural turn had not already been greatly underway, there would have been no controversy. So, if we are optimistic, we can conclude that it was simply the new Quebec identity coming of age or even a natural growth crisis as a new intercultural relations model was being implemented. However, some realities urge me to be more cautious. In fact, as the current "antisemitism without Jews" syndrome in some eastern European countries demonstrates, the fact that a political crisis goes nowhere and is not based on real problems does not guarantee a positive result. In that regard, two phenomena are especially unsettling: the local political vacuum and the international context.

With regard to the first phenomenon, as we have seen above, the Liberal government has demonstrated, for opportunistic reasons but also for reasons related to the history of its political movement, a dramatic absence of leadership with regard to the issue of cultural and religious diversity in public institutions. At the same time, the progressive neo-nationalism of the 1970s has experienced a significant loss of influence, at least in the main political party conveying it for 30 years, the Parti québécois. That loss of influence coincided with the disappearance of the sovereigntist project as a realistic short-term political objective that was often used as a barrier against ethnicizing attempts. In fact, when nationalism can be projected into a

plan for the future, it is clearly easier to be optimistic and inclusive than when it has to constantly justify itself by using the threat against identity and looking to the past.¹⁹ It is highly unlikely, given the course taken, that the ethnicist definition of nationalism will make a comeback, but the outcome of the battle between pluralists and republicans is not at all certain because, if language can no longer be used as an ethnic marker, the great majority of recent immigrants being Francophones, the relationship to religious diversity is likely to become one of the elements of the Quebec identity project especially since that choice allows easy yet largely unfounded opposition to the Canadian Other.

The second phenomenon that accentuates the current volatility of the Quebec reasonable accommodation debate is obviously the international context. First, there is Islamophobia, which has been greatly documented, but also, above all and more insidiously, the resurgence of assimilation as a legitimate model for managing ethnic relations in various nations of immigration that had traditionally adopted pluralistic approaches. No more than the nationalist movement's adoption of a republican ideology, this trend does not necessarily involve increased rationalizing and ethnicizing sensationalism with regard to religious minorities or, more specifically, the Jewish community. However, past experience tells us that assimilationist models, although often claiming to be more egalitarian than pluralistic models, more easily succumb to those foibles. For example, this is the case when that model is confronted by persistent differences that do not disappear by magic under the influence of an ideology, as sophisticated as it may be.

REFERENCES

- Anctil, P. *Bouchard-Taylor : un bilan mitigé. Le Devoir*, 02 juillet 2008
- Bader, V. (2005). "Dutch Nightmare? The End of Multiculturalism?" *Canadian Diversity* 4(1): 9-11.
- Banting, K., Courchene, T.J. & Seidle, F.L. (2007). (Eds.), *Belonging? Diversity, Recognition and Shared Citizenship in Canada* (The Art of the State Volume III). Montreal: The Institute for Research on Public Policy.
- Bauberot, J. (2006). *L'intégrisme républicain contre la laïcité*. Paris: L'Aube.
- Boisclair, A (2006). *Pour une plus grande participation de tous. Le Devoir*, 22 novembre 2006
- Bosset, P. (2007a). « Les fondements juridiques et l'évolution de l'obligation d'accommodement raisonnable ». Dans M. Jézéquel (dir.), *Les accommodements raisonnables : quoi, comment, jusqu'où ? Des outils pour tous*. Cowansville: Éditions Yvon Blais.
- Bosset, P (2007b) *Égalité des sexes, religion et chartes des droits. La prudence s'impose. Le Devoir*, 10 octobre 2007

- CCPARDC. (2008). *Building the Future: A Time for Reconciliation*. Report of the Consultation Commission on Accommodation Practices Related to Cultural Differences.
- Conseil des relations interculturelles (1997). *Un Québec pour tous ses citoyens. Les défis actuels d'une démocratie pluraliste*. Avis présenté au ministre des Relations avec les Citoyens et de l'Immigration. Gouvernement du Québec: CRI.
- Gagnon, K. *Le Tsunami du foulard, prise 2, La Presse*, 16 mai 2009
- Goldbloom, V.C. (2008). « La communauté juive et l'accommodement raisonnable ». Dans M. McAndrew, M. Milot, J.S. Imbeault et P. Eid (dir.), *L'accommodement raisonnable et la diversité religieuse à l'école publique. Normes et pratiques* (p. 85-90). Montréal: Fides.
- Hawkins, Freda (1972). *Canada and Immigration: Public Policy and Public Concern. Canadian Public Administration Series*. Montreal: McGill-Queen's University Press.
- Jedwab, J. (2008). *Inquiry on the Bouchard-Taylor Commission Report*. Association of Canadian Studies, June 11, 2008.
- Juteau, D. (2000). « Du dualisme canadien au pluralisme québécois ». Dans M. McAndrew et F. Gagnon (dir.), *Relations ethniques et éducation dans les sociétés divisées : Québec, Irlande du Nord, Catalogne et Belgique* (p. 17-38). Montréal: L'Harmattan.
- Kymlicka, W. (2007). « Tester la limite du multiculturalisme libéral ? Le cas des tribunaux religieux en droit familial ». *Éthique publique*, 9(1), 27-30.
- Lefebvre, S. (2008). « Les dimensions socioreligieuses des débats sur les accommodements raisonnables ». Dans M. McAndrew, M. Milot, J.S. Imbeault et P. Eid (dir.), *L'accommodement raisonnable et la diversité religieuse à l'école publique. Normes et pratiques* (p. 113-134). Montréal: Fides.
- Maclure, J. (2008). « Le malaise relatif aux pratiques d'accommodement de la diversité religieuse: une thèse interprétative ». Dans M. McAndrew, M. Milot, J.S. Imbeault et P. Eid (dir.), *L'accommodement raisonnable et la diversité religieuse à l'école publique. Normes et pratiques* (P. 215-242). Montréal: Fides.
- McAndrew, M. (2001). *Immigration et diversité à l'école: Le débat québécois dans une perspective comparative*. Montréal: Presses de l'Université de Montréal.
- McAndrew, M. (2006). "The hijab controversies in Western public schools: contrasting conceptions of ethnicity and ethnic relations." In S. Rahnema and H. Moghissi (eds.), *The Making of the Islamic Diaspora*. Toronto: University of Toronto Press.
- McAndrew, M. (2007a). "Quebec's interculturalism policy: an alternative vision." In K. Banting, Thomas J. Courchene and F.L. Seidle (eds.), *Belonging? Diversity, Recognition and Shared Citizenship in Canada* (p. 143-154). Montreal: The Art of the State.
- McAndrew, M. (2007b). « Pour un débat inclusif sur l'accommodement raisonnable ». *Revue Éthique publique*, 9(1), 140-151.
- McAndrew, M. (2008). « Une réflexion sur la formation des intervenants ». Dans M. McAndrew, M. Milot, J.S. Imbeault et P. Eid (dir.), *L'accommodement raisonnable et la diversité religieuse à l'école publique: normes et pratiques*. Éditions Fides, p. 135-156.
- McAndrew, M. (2009). "Quebec interculturalism policy: convergence and divergence with the Canadian model. In C. Raj, A. Nafey et M. McAndrew, *Multiculturalism: Public Policy and Problem Areas in Canada and India*, Delhi: Manak Publishers.
- McAndrew, M. (à paraître 2010). « Les majorités fragiles peuvent-elles s'ouvrir au pluralisme? Enjeux éducatifs au Québec en Belgique, en Catalogne et en Irlande du Nord », Montréal Presse de l'Université de Montréal.
- Milot, M. (2008). « L'expression des appartenances religieuses à l'école publique compromet-elle la laïcité, l'égalité et l'intégration sociale? Dans M. McAndrew, M. Milot, J.S. Imbeault et P. Eid (dir.), *L'accommodement raisonnable et la diversité religieuse à l'école publique. Normes et pratiques* (p. 215-242). Montréal: Fides.
- Ministère de l'Immigration et des Communautés culturelles (2005). *Plan stratégique 2005-2008*.
- Ministère de l'immigration et des communautés culturelles (2009), *Tableaux sur l'immigration permanente au Québec*. Québec, Gouvernement du Québec, en ligne, 10 mai 2009 (www.micc.gouv.qc.ca/fr/recherches-statistiques/stats-immigration-recente.html).
- Ministère de l'immigration et des Communautés culturelles (2009). *Pour enrichir le Québec. Affirmer les valeurs communes de la société québécoise*. Mesures pour renforcer l'action du Québec en matière d'intégration des immigrants. Montréal : Direction des affaires publiques et des communications.
- Ministère des Communautés culturelles et de l'Immigration (1990). *Au Québec pour bâtir ensemble*. Énoncé de politique en matière d'immigration et d'intégration. Québec : Direction des communications.
- Modood, T. (2007). « Rebâtir le multiculturalisme en Grande-Bretagne après les attentats du 7 juillet 2005 ». *Éthique publique*, 9(1).
- Multani v. *Commission scolaire Marguerite-Bourgeoys*, [2006] 1 S.C.R. 256, 2006 SCC 6
- Potvin, M. (2008). *Crise des accommodements raisonnables: Une fiction médiatique ?* Outremont : Éditions Athéna.
- Potvin, M. (2009). "Reasonable accommodation crisis: a state of ethnic relations in contemporary Québec." In D. Rodríguez-García (ed.), *Managing Immigration and Diversity in Quebec and Canada: A Transatlantic Dialogue with Catalonia, Spain, and Europe*. Barcelona: CIDOB Foundation.
- Potvin, M., Audet, G. et McAndrew, M. (2008). « Les discours d'opinion à l'égard du jugement sur le port du kirpan à l'école dans la presse québécoise ». Dans M. McAndrew, M. Milot, J.S. Imbeault et P. Eid (dir.), *L'accommodement raisonnable et la diversité religieuse à l'école publique. Normes et pratiques* (p. 215-242). Montréal : Fides.
- Pratte, A. *La sagesse, La Presse*, 23 mai 2008
- Racine, J. (2008). « Vers la laïcité scolaire ». Dans M. McAndrew, M. Milot, J.S. Imbeault et P. Eid (dir.), *L'accommodement raisonnable et la diversité religieuse à l'école publique. Normes et pratiques* (p. 15-26). Montréal: Fides.
- Radio-Canada, *Égalité des sexes, une valeur fondamentale au Québec*, 12 décembre 2007
- Radio-Canada, *La réponse des partis*, 22 mai 2008
- Shields, A. (2008) *Rapport Bouchard- Taylor- Marois accuse les commissaires d'avoir oublié l'essentiel, Le Devoir* du 24-25 mai 2008

Surveys, Opinion Polls and Marketing (SOM). 2001. *Sondage sur la perception de l'adaptation des immigrants à la société québécoise*. Montréal : SOM, Mars.

Tully, J. (2006). "Reconciling struggle over the recognition of minorities: towards an ideological approach." In A. Eisenberg (ed.), *Diversity and Equality: The Changing Framework of Freedom*. Vancouver: UBC Press, 18.

NOTES

1 See, for example, the Tall Bruttman, Mark Weitzman and Robert-Jan Van Pelt articles dealing respectively with the French, US and Canadian reactions to the persecution of Jews during the Second World War.

2 Although marked by notions such as excessive limitation (Bosset 2007a)

3 That waiting game is explained by the difficulty in amending the Canadian *Constitution of 1982*, which Quebec has not signed, that reiterates the protections guaranteed to religious minorities under the *Constitution of 1867*, and by resistance, notably regional and more sociological than religious, to the lost influence of the Catholic and Christian heritage in institutions.

4 The various Liberal and PQ governments over the last 30 years have carried out roughly the same policies.

5 In fact, over 20 years, it caught up with the Canada-wide opinion and even became slightly more favourable until the beginning of the 21st century (Hawkins 1972, MICC 1990 and SOM, 2001).

6 Although comments and open letters showed that some people mixed up the two communities (Potvin, Audet et McAndrew 2008).

7 The requirements were that the kirpan must remain in its scabbard encased in cotton and that the student could not use it.

8 Which was jarring, to say the least, in the case of the Hasidic community.

9 As was, for example, the issue of the YMCA frosted windows.

10 The Liberal Party's 1990 statement, to which André Boisclair referred in his response to the ADQ attacks, contained all the necessary elements to stabilize the public debate (MCCI 1990 and Boisclair 2006).

11 Except for that of the Archbishop of Quebec, Monsignor Ouellet, who made a sensation demanding a return to the predominance of Catholicism in public institutions.

12 The commission explained that decision based on the specific status from which those two groups benefit in Quebec, which is intellectually convincing but much less so on a message level.

13 The elderly mainly followed the hearings live or on television, so it is plausible to believe that those who witnessed all of the deliberations developed a more complete vision of diversity while those who relied on the evening media summary alone would have been more influenced by sensationalism and negative words.

14 That precision, which already exists in the Canadian Charter, has little legal impact, as numerous analysts have shown (Bosset, P. 2007b).

15 Here again, because that obligation is not supported with coercive measures, it has little effect, but there is a risk of it being very popular with the traditionalist and republican camps dominating the surveys.

16 This was a mostly artificial controversy because, under the Canadian constitution, Quebec public institutions cannot prohibit their employees from wearing the veil. Furthermore, the Fédération des femmes du Québec position resulted from a long-term consideration and was not associated with any particular issue or crisis (Gagnon 2009).

17 Although it was much less visible in the debate, it was certainly also the case for the Jewish community, at least with regard to the distinction between "mainstream" Judaism and the Hasidic movement, the media primarily relaying coverage of the latter.

18 Including Julius Grey (!), who recently declared himself in favour of assimilation and the republican model of France

19 Let us remember, as Guillaume Dufour's article cited in this text shows so well: in the history of Quebec, we have only had two windows during which the progressive version of nationalism has dominated: the beginning of the 19th century until the Patriotes' rebellion was crushed and from the Quiet Revolution until now.