

Bill 21 is not the problem critics think it is

[The Post Millennial](#) - Saturday April 6th, 2019

Bill 21, “An act respecting the laicity of the state,” is ramping up

for passage in Quebec. It will impose complete neutrality with regard to religion-signalling on the province’s public servants in areas such as elementary and high school education, the courts and law enforcement. Anyone presently wearing a visible symbol of their faith – notably the (visible) cross, the kippa and the hijab – may

continue to serve out their tenure, but new candidates must be symbol-free. In addition, face cover in the getting and giving of public services will be banned. The law can only pass

under the rubric of the Notwithstanding Clause, because it supersedes the

Charter right to freedom of religion and its expression. A clear majority of the population supports the bill, and the use of the notwithstanding clause. Apart from the issue of separatism, I have rarely seen such a dichotomy of opinion—very heated opinion—between the “two solitudes.” All the federal parties oppose it. My colleague, Andrew Coyne referred to the law as a “depravity.” Prime Minister Justin Trudeau declared that it was “unthinkable to me that in a free society we would discriminate against people based on their religion.” (This from a national leader who will not allow anyone with pro-life views to sit in his caucus.) I hold the distinction of being virtually alone in the anglo punditry in offering support and encouragement for the law. It is neither racist nor irrational to ask that the public service reflect the guiding vision of the society they serve, and in this case, the vision is one of “laïcité”—secularism—and integration into a common culture—we used to call it the “melting pot” school of immigration, and it used to be considered a fine ideal—while in key respects runs directly counter to the philosophy of multiculturalism that dominates the rest of Canada, pointedly summed up by Justin Trudeau’s approving characterization of Canada as a “post-national” country with “no core identity.”

googletag.cmd.push(function() { googletag.display('div-gpt-ad-1549657078866-0'); }); Religious symbols never arose as a threat to secularism before the

hijab and the niqab came into more noticeable use, and therefore critics claim the move to complete neutrality is more a reaction to female cover than to

religious symbolism in general. Fair comment. Let’s face that head on instead of mincing around the subject. For it is true: Female cover, especially face cover, was certainly the tipping point in “accommodation” for highly feminist

Quebec. It begat interrogation of what the cover means. Is it really a symbol

of faith alone? Or is it more than the sum of its parts? Here is a little thought experiment. Pick any group of Jews at random—observant, semi-observant or completely secular. Ask them: what is the kippa? All—from the most uninformed to the most erudite regarding their religion—will tell you it is a symbol of religious observance. Do likewise with any group of Christians regarding the cross. They will all tell you it is a marker of Christian faith. Now gather your group of

Muslims: covered,

uncovered, secular. Ask them what the hijab and the niqab signify. You will receive a variety of answers. Some will say it is only a religious symbol or a family custom or a sign of sexual modesty in keeping with their faith tradition.

Others will tell you that full face or complete head cover are customs

associated with certain countries like Saudi Arabia and Iran, where they are

linked to fundamentalism, anti-westernism and patriarchy. Many will tell you it is a symbol of personal “empowerment.”

Influential American activist Linda Sarsour, for example,

admitted that before she put on the hijab, she was just “an ordinary white girl,” but after

donning it, she suddenly became perceived both as a person of colour and

someone whose political and ideological views had to be taken seriously. That

is certainly not the case with the cross or the kippa. googletag.cmd.push(function() { googletag.display('div-gpt-ad-

1549651502858-0'); }); (Indeed, it is interesting to note that while the first impulse after the recent New Zealand mosque massacre was a mass donning of head cover by politicians, media people and citizens to signify solidarity with Muslims, it had not occurred to politicians or media people to don the kippa or a prayer shawl after the Pittsburgh synagogue

massacre, nor did media people and politicians don big visible crosses after the 2015 Charleston Church massacre. Nor should they have.) If the courageous Raheel Raza of the Clarion Project, who heads up the Council for Muslims Facing Tomorrow, were a member of your focus group, she would tell you that face cover is for a significant number of Muslims the outward symbol of political Islam. As Raza wrote in 2015, “The niqab and burka have nothing to do with Islam. They’re the political flags of the Muslim Brotherhood, ISIS, the Taliban, al-Qaida and Saudi Arabia.” You might find other Muslims to rebut Raza’s claims, but the fact that there is strong evidence to support her claim should be enough to tamp down accusations of “Islamophobia” levelled against those who want no part of it in public services. At the very least, it is fair to say that female cover amongst Muslim women is not the straightforward religious symbol it is for Jewish men and Christian women. How can you call curtailment in the public sector of a phenomenon so contested within its own religious borders a “depravity”? How can critics call racist a law more moderate than similar laws the European Court of Human Rights has deemed justifiable in many European countries, all as democratic as Canada?