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M. Yannick Vachon
Secrétaire
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May 4, 2010

Dear M. Vachon

Re : Consultation on Quebec Bill 94

Quebec's Bill 94 is apparently aimed at preventing Muslim women wearing the niqab (which covers all but their eyes) from receiving, or providing, certain government services including access to schools, colleges, universities, health and social services, and subsidized child care. The actual wording of the Bill states that accommodation of a person whose face is covered will be refused if it interferes with identification, security or communication. The introduction by Mme Weil indicated that the right to accommodation was subordinate to the Charter of Rights and Freedoms, particularly equal rights for women and state neutrality in matters of religion.

The law purports to comply with the provisions of the Charter of Rights and Freedoms regarding gender equality and religious neutrality; however, its avowed intent is to discriminate against women of a specific religion.

In my opinion, a strict interpretation and application of the law as drafted should mean that all men with beards and mustaches should have to shave before receiving, or providing, these government services. The phrase "show their face" is not defined in the Bill. When sporting a beard and mustache, men are not showing their faces. Their faces are partially covered by hair just as the face of a Muslim woman wearing a niqab is partially covered by cloth. The only difference is the nose. This isn't a horse race in which men should win by a nose!

The ability to interpret what a thickly bearded and mustachioed man is saying is just as difficult to interpret as if he were covering his mouth with a piece of cloth. Further, the Bill's avowed application will also discriminate against Muslims on the grounds of religion since, for example, Sikh men and Hassidic Jewish men, who often sport very thick, face and lip concealing beards, will presumably not be refused services unless they shave. Women with niqabs do show their

faces when applying for forms of identification (passports, drivers licences, etc). Men with beards can have their photograph taken with a beard and then shave it off and, in so doing, drastically change their appearance. So much for identification and security!

In proposing this legislation, the Quebec government is not only flouting the intent of the Charter but hindering the integration of these women into Canadian society. If the law is meant to signal an aversion to coercion then it fails because all supposedly religiously inspired modes of dress and grooming are coercive whether they impose rules on men or women. If the few women in Canada who wear a niqab are doing so at the insistence of their families or religious leaders, and to do otherwise would endanger them or lead to significant problems in their lives, then they are truly being victimized. But, to exclude these women from Canadian society by banning them from receiving government services is further victimization. Some Muslim women choose to wear the niqab even in the face of family disapproval. For them, it is their interpretation of Islam. For a government to legislate acceptable modes of dress for women is discriminatory. Many forms of dress adopted by women are coerced, whether the coercion be to bare skin or cover it up, or to wear foot-crippling spiked heels. The coercion may be exercised by “fashion” experts, advertisers or mates.

To me, as a non-religious person, all religions are the same. They all impose illogical beliefs and behaviours. To single out one such behaviour (the wearing of a niqab) for special treatment under the law is ludicrous and discriminatory, and this by a legislature which displays a crucifix – a solely Roman Catholic emblem. So much for religious neutrality! I have not heard of any movement to outlaw the wearing of wigs by Orthodox Jewish women or kirpans by Sikhs.

By allowing these women equal access to government services, particularly in education and day care, they will be exposed to other Muslim women whose interpretation of Islam requires only the hijab as well as to non-Muslim Canadian women. Also, their children will be exposed to the poly-glot culture of Canada and will no doubt question and perhaps reject their parents’ strict behaviours. Canada has seen many waves of immigration, each with its own particular style and habits – the babushkas worn by women from eastern Europe, the perpetual wearing of black by Mediterranean widows, sari-clad women from India, etc. Later generations have abandoned these habits and form part of the patchwork of Canada that so enriches our country.

I urge you to reconsider this legislation and let evolution take care of the issue.

Thank you for your consideration.

Isobel Taylor

c.c. Kathleen Weil, Minister of Justice.