MULTICULTURAL POLICY RESPONSES TO ETHNIC EXTREMISM AND REQUESTS FOR RELIGIOUS ACCOMMODATIONS

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ABSTRACT

This author answers the following questions on the topic of Applied Policy Research:

1) How can we most effectively measure the impact of multiculturalism, both as a policy and in the message it conveys to Canadians?
2) What are the policies and initiatives of other government departments that influence multiculturalism?
3) What type of research would you recommend be conducted to enhance our understanding of multiculturalism and diversity the most?

The most important issue confronting Canadian multiculturalism at the moment concerns the adequacy of public deliberation about the character of our commitment to multiculturalism. The difficulty is less about the actual policy impact of multiculturalism than it is about how Canadians from diverse cultural backgrounds can successfully reflect upon and interpret its meaning. Two of the most serious deliberative questions are: (1) how should we understand the relation between multiculturalism and "so called" ethnic extremism? and (2) how should we decide which kinds of cultural practices merit accommodation under the ambit of multiculturalism? The challenge is to create a public culture in which Canadians can engage in the sort of deliberation and debate necessary to respond in a reasonable fashion to tensions that inevitably arise from time to time between mainstream and minority communities about appropriate responses to these questions.

Let me explain the deliberative challenge in relation to two widely publicized controversies, namely, the municipal ordinances in Hérouxville, Quebec and the decision to restrict Muslim arbitration panels in Ontario. What is striking about these two controversies is what they reveal about how mainstream Canada is responding to commonplace tensions that arise in relation to cultural diversity and accommodation. In Ontario, what started off as a legitimate concern to ensure that women would not be coerced into using religious arbitration when public law could offer them better protection, turned into a raucous public brouhaha in which all manner of cultural ignorance and racist fear-mongering were directed at Muslims. All but the boldest commentators from the Muslim community eventually withdrew from the debate. Canadians missed an opportunity to understand the problems that Canadian women face within religious communities, especially in relation to the discretionary ways that private arbitration can work in these communities. They missed the opportunity to build bridges with parts of the Muslim community. And, more importantly, they treated the bridges which have been built, (and built in large part due to the successes of multiculturalism), with surprising indifference. We see these bridges being burnt at the moment in rural Quebec. The municipal ordinances in Hérouxville seem predicated on the dubious assumption that minority communities are especially prone to illiberal extremism and that somehow multiculturalism coddles extremism. Rather than reflecting on how best to arrive at a shared public consensus about what constitutes extremism and how best to respond to it, there is divisive discourse predicated on false stereotypes. I think this is where the most serious problem lies. We should wonder why, after 35 years of multiculturalism, this is the case.

One answer is that these controversies reveal a backlash against multiculturalism. According to this view, Canadians are now defensive in light of the growing numbers of non-mainstream groups. They are reacting to the fact that multiculturalism has gone too far: it has allowed cultural enclavism, legal pluralism and 'unreasonable accommodation'.

I doubt this answer is correct. It is contradicted by nearly every poll that is done about Canadian attitudes towards diversity, towards Muslims, towards ethnicity and trust, and towards multiculturalism. These polls confirm that we are fairly happy about, if not downright proud of, our national diversity.

A second answer is that recent events reveal gaps in the ways the public and public institutions reason about multiculturalism, that is, how they address and assess the cultural identities and religious commitments of minority groups and how majority groups understand their own identities and commitments in relation to minorities. The first gap is the absence of a reasonable consensus about how to identify and respond to extremism. We don't have reasonable ways to identify extremism within mainstream or minority communities and, as a result, fear of extremism – that is, fear of insular and aggressive minorities or violent enclaves – dominates mainstream debate and regulations regarding some minorities. (The phobia mainly concerns Muslims at the moment; but similar misapprehensions have occurred in relation to Japanese, Ukranian, German, and Chinese Canadians).

Second, and to put this in a broader perspective, we lack the right tools by which to understand and resolve disputes involving visible and religious minorities when they arise. Too many Canadians mistakenly believe that multiculturalism is about the unqualified preservation of cultural or religious minority communities. Too many believe that protecting individual rights is equivalent to protecting mainstream values rather than minority values.

The reality is that multiculturalism involves a nuanced series of commitments to reasonable and equitable accommodation for ethnic minorities. Yet, very little has been done in public institutions or in the realms of public debate to establish publicly accessible means to understand and assess the commitments, practices and ways of life that different peoples have, or to develop transparent criteria and standards which flesh out what counts as reasonable and equitable in these respects. I think the shari'a controversy in Ontario reveals the consequence of these gaps. After a public inquiry, more than a year of deliberation, a commissioned report, and an extensive series of recommendations, the Government of Ontario found it easier to capitulate to one element of public pressure which demanded that religious arbitration be prohibited, than to side with those who proposed reforms that would show mutual respect without sacrificing the well-being of women. Even those who think religious arbitration is undesirable means to resolve civil disputes, have to recognize that, although the Ontario government was posed with a tough choice, its solution was the easier option despite the fact that it does little to protect women who are most at risk of being exploited.

What sort of initiatives will be effective in responding to these concerns? Instead of measuring whether Canadians are in favour or opposed to multiculturalism, we should be asking Canadians how they reason through concrete conflicts and what sort of information would help them to understand conflicts more fully. We should ask them, through structured deliberation, what kinds of considerations they consider relevant to deciding questions, like whether Ontario should recognize religious arbitration, whether kirpans ought to be allowed in public schools, or whether Orthodox Jews can build succahs on their balconies. It would be interesting to assess the extent to which these considerations change over time and the extent to which the considerations identified as relevant today also draw into question mainstream practices such as prenuptial agreements that offer women less protection than public legal standards do, religious displays in public institutions, and tax-exemptions for religious institutions that discriminate against homosexuals or women. I'm not suggesting that all mainstream practices need to change. But debates about these practices indicate that people are gaining some perspective about the 'cultural' biases of the public culture. We can only decide which practices ought to be accommodated if we have a good sense of which ones are culturally particular, which ones are important in the sense that they are crucial to the identity of a group, which ones are easy to compromise, and which ones diminish the opportunities open to people.

In relation to policy initiatives, enhancing the representation and participation of ethnic minorities in public institutions is one of the key initiatives intended to influence the accommodation of cultural diversity. But we should recognize that this only goes so far. To invite and even entice ethnic minorities to participate in public institutions and then ignore proposals for how these institutions ought to be reformed to make them more accommodating of ethnic practices and ways of life is an unwise strategy. Participation and representation are important. But they should be viewed as the means to, rather than the replacement for, institutional reform.

One of the problems with multiculturalism is that it is being promoted in the absence of developing transparent and fair institutional mechanisms to ensure that the practices and ways of life of minority groups are understood in a reasonable manner and weighed in an equitable way against public regulations with which they may conflict. In light of this problem, the policies or protocols of government which guide these interpretations and assessments require special scrutiny. In advancing our understanding of multiculturalism today, the questions researchers should be asking include the following. In relation to government departments, for example, what are the means by which policy makers in Health Canada, Immigration Canada or the Department of National Defense assess and interpret the beliefs, values and practices of minority groups in Canada? How sound are the protocols that social workers or police departments use to guide their understandings of and interpretations of cultural differences? What kind of questions do public officials and policymakers ask in order to understand what kinds of commitments or practices are important or meaningful to a particular group? To what extent are their interpretations guided by normative concerns related to gender equality? How are these normative concerns formulated? That is, to what extent are we merely applying mainstream assumptions and understandings of minority practices in order to understand problems that arise in relation to minority communities or practices that are different from the mainstream ones? We should be asking these questions of our public institutions and we should be deliberating about them ourselves.