

Situating the Reasonable Accommodation Debates in Quebec's Contention for Sovereignty

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On 18 October 2017, amidst controversies, *Parti libéral du Québec* (PLQ) passed Bill 62 in Quebec's National Assembly with a vote of 66 to 51. Titled, "An Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies," the new law sought to emphasise state neutrality towards religions, and to offer streamlined legal guidelines for reasonable accommodation requests in the province. What made the headlines, however, was its Section 10,¹ which stipulated that public employees, and persons receiving services from them, must have their faces uncovered. Although different interpretations have been suggested regarding its implementation, and reasonable accommodation requests could be made with regard to this clause, Section 10 effectively prohibited Muslim women wearing the burka or niqab from receiving public services, such as transportation, unless they be prepared to reveal their face at the time of service. Quebec, thus, became the first place in North America to restrict face veils in public, albeit in a more limited fashion than the comprehensive bans promulgated in Belgium (2010), France (2011), Austria (2017), and Denmark (2018).

Bill 62 was meant as a solution to the reasonable accommodation controversies that dominated the Quebecois sociopolitical scene over at least the last decade, yet it faced a strong backlash from two diametrically opposed positions. Liberal critics suggested that the bill infringed upon religious liberties as protected by the Canadian Charter of Rights and Freedoms. Federal politicians joined in with human rights associations and Muslim organisations to openly condemn the bill, while several public protests took place in Montréal and other cities in the immediate aftermath of the vote. Passing verdict on a filed legal challenge, the Quebec Superior

1. The stipulation on face covering was in Section 9 in earlier drafts of the bill.

Court suspended Section 10 of the bill in December 2017, and once again in June 2018 soon after the government published guidelines for the bill's application.² On the other side of the spectrum, *Parti Québécois* (PQ) and *Coalition Avenir Québec* (CAQ) voted against the bill on the grounds that it did not go far enough. In its place, the two parties agreed on promulgating a revamped *Charte de laïcité* whereby face covering would be completely prohibited in public, and all religious symbols would be banned for public employees in positions of authority (e.g., police officers, judges, prison guards, teachers and daycare educators).³ Following the bitter controversy triggered by Bill 62, the campaign for the provincial election of October 2018 featured heated discussions on immigration, Quebecois values, and the place of religion in the provincial public sphere.⁴ François Legault, leader of the victorious CAQ, promised before the elections that his government would uphold Bill 62's restriction on face veils, and pass a state secularism bill in its first year to ban religious symbols for public employees in positions of authority.⁵ According to survey data, 87% of Quebecois supported Bill 62, a figure that reached 91% among francophone citizens.⁶

A rich scholarly literature emerged in the last decade to make sense of the polemics on religion in the province. These focused, among other

2. Guiseppe Valiante, "Quebec judge once again suspends application of province's religious neutrality law," *Global News*, June 28, 2018, <https://globalnews.ca/news/4303643/quebec-judge-once-again-suspends-application-of-provinces-religious-neutrality-law/>.

3. It should be noted that the CAQ's proposal does not include daycare educators, whereas that of the PQ does. See Catherine Lévesque, "Un gouvernement de la CAQ abolirait la loi sur la neutralité religieuse," *Huffington Post*, October 18, 2017, https://quebec.huffingtonpost.ca/2017/10/18/un-gouvernement-de-la-caq-abolirait-la-loi-sur-la-neutralite-religieuse_a_23247787/; Hugo Pilon-Larose, "Laïcité: le PQ présentera un projet de loi et ses sanctions," *La Presse*, October 25, 2017, <http://www.lapresse.ca/actualites/politique/politique-quebecoise/201710/25/01-5141188-laicite-le-pq-presentera-un-projet-de-loi-et-ses-sanctions.php>.

4. "Coalition's François Legault on hot seat over proposed French, values tests for newcomers," *National Post*, September 14, 2018, <https://nationalpost.com/pmnn/news-pmn/canada-news-pmn/coalitions-francois-legault-on-hot-seat-over-proposed-french-values-tests-for-newcomers>.

5. Alain Laforest, "La laïcité de l'État imposée dès un premier mandat caquiste," *TVA Nouvelles*, August 19, 2018, <https://www.tvanouvelles.ca/2018/08/19/la-laicite-de-letat-imposee-des-un-premier-mandat-caquiste>.

6. Angus Reid Institute, "Quebec Politics: Major support for Bill 62," October 4, 2017, <http://angusreid.org/quebec-provincial-issues-sept/>.

things, on the reasonable accommodation disputes, the Bouchard-Taylor Commission (2007-8) and its aftermath, the Charter of Values bill (2013-14), and more recently, Bill 62, from legal, social, and political standpoints. To contribute to the conversation from a historical sociological perspective, the purpose of this article is to propose a working outline to situate the debates in the progression of Quebec's national identity and state building processes. The argument is that the reasonable accommodation controversies are closely related to the province's quest for sovereignty since the Quiet Revolution. The concept of sovereignty is used here not to denote political independence *per se*, as attempted in Quebec's 1980 and 1995 referendums. Instead, I subscribe to a more comprehensive understanding of sovereignty that includes economic-distributional, political-administrative, and cultural-ideological pillars of nation and identity building.⁷

Based on these three pillars, this article begins with an overview of Quebec's national transformation since the 1960s. It puts forward the thesis that the economic-distributional and political-administrative aspects of nation building during this period lost their primacy in the making of Quebecois identity due to neoliberal globalisation and failed independence attempts, respectively. This has led to greater emphasis on the cultural-ideological pillar, especially since the 1980s and 1990s, whereby, along with language, the issue of religion has gradually come to be at the forefront of identity discussions. Focusing on this phenomenon, this article then moves on to demonstrate that, especially in the face of newcomer religions, a unique and seemingly contradictory combination of *laïcité* as a more assertive approach of secularism on the one hand, and a "patrimonialised" understanding of Catholicism on the other, have increasingly been articulated as core values that define Quebec's cultural sovereignty within Canada today. Finally, a number of conclusions are drawn from this analysis,

7. Jane Jacobs, *The Question of Separatism: Quebec and the Struggle for Sovereignty* (Montréal: Baraka Books, 2011), 134. Jacobs describes the three notions of sovereignty as follows: "Sovereignty is many-sided. Its various aspects overlap and interlock." Since the Quiet Revolution, we can think of the "proposals for a sovereign Quebec as falling into three broad groups: cultural sovereignty, economic sovereignty and political sovereignty" (134). This distinction is in line with scholarship on modern state formation, where political, economic, and ideological sources of social power are identified. See, for instance, Michael Mann, *The Sources of Social Power*, vol. 1 (Cambridge: Cambridge UP, 1986); and Garry Runciman, *Treatise on Social Theory*, vol. 1 (Cambridge: Cambridge UP, 1983).

particularly on how a historical sociological perspective may advance the contemporary debates on reasonable accommodation in Quebec.

Building Quebecois Sovereignty since the 1960s

The Quiet Revolution and its aftermath brought together economic-distributional, political-administrative, and cultural-ideological aspects of nationhood in the construction of Quebec. These three pillars developed in an interconnected and partly overlapping fashion with a view to ameliorating the situation of Quebecers of French-Canadian descent, especially vis-à-vis Anglophones. The multifaceted trajectory towards building a distinct nation within Canada in the 1960s rested primarily on a firm ideal of economic-distributional development. Among the poorest social groups in Canada prior to the Quiet Revolution, French-Quebecers embraced the notion of *rattrapage* (“catching up”) to break free from the state of underdevelopment and reach the socio-economic levels of contemporary advanced nations. Inspired by the postcolonial spirit of the time, and encapsulated in the slogan “*maîtres chez nous*,” a policy of economic nationalism was envisaged by the PLQ’s Jean Lesage government from 1960 onward. This policy was characterised by state-led development, high economic regulation, and protectionism. Under the leadership of René Lévesque, then the Minister of Natural Resources, all private hydroelectric companies were nationalised in 1963 under *Hydro Québec*, representing the second major wave of nationalization since its founding in 1944. Public enterprises, SIDBEC (iron and steel), SOQUEM (mining), REXFOR (forestry) and SOQUIP (petroleum) were founded to tap into the province’s natural resources. Towards building a Quebec-based integrated national market, interest rates were standardised across the province, investments were coordinated, the Labour Code was modernised in 1964, and a protectionist “buy-Quebec” policy was implemented. In 1961, a public hospital network was established, and *Société générale de financement* was founded the next year. In 1965, *Caisse de dépôt et placement du Québec* was created, which undertook the administration of the assets of *Régie des Rentes du Québec* (RRQ, Quebec Pension Plan, founded in 1963). In the eyes of the key actors of the period, as summarised in the words of Premier Jean Lesage in 1962, “the era of

economic colonialism” was now “over.”⁸

The economic-distributional component of nation building went hand in hand with Quebec’s political-administrative empowerment. Self-identifying as a distinct nation, Quebec began reaching out to other nations through diplomacy. Delegations (*Maisons du Québec*) were opened in Paris and New York in 1961-2. At home, the government took on and refined various administrative tasks through the newly founded ministries of Education, Cultural Affairs, Immigration, Federal-Provincial Relations, and Social Affairs (precursor to the Ministry of Health and Social Services). Followed by the Commission of Inquiry on Education, the 1964 report by Mgr. Alphonse-Marie Parent outlined the need for a harmonised, more accessible education system in the province, which was acted on by the new Ministry of Education. In a series of reforms, while the confessional character of education was upheld (schools were divided along Catholic and Protestant lines), the Catholic Church’s virtual monopoly on education was broken by the Ministry. The number of Catholic school boards was reduced from 1,500 to 55, curriculums were standardised across the province, and the salaries and working conditions of teachers were improved.⁹ “Qui s’instruit s’enrichit” became the adage of the day. Along with education, health and social welfare services also went through secularisation and nationalisation through a transfer of authority from the Catholic establishment to the secular provincial administration. Secularisation was, therefore, a key component of Quebecois state building. From 1962 to 1966, employment in the public sector grew by 53% each year, and public spending by 21%. In total, health, social welfare, and education constituted almost 70% of Quebec’s total spending during these years. And whereas state expenditure was \$598 million in 1960, it was \$4.5 billion in 1972.¹⁰

8. Louis-Gilles Francoeur, “Les grands débats – Un néocolonialisme à la québécoise?” *Le Devoir*, April 2, 2011, <https://www.ledevoir.com/societe/environnement/320240/les-grands-debats-un-neocolonialisme-a-la-quebecoise>. For a more extensive discussion on the Quiet Revolution’s economic reforms, see Pierre Godin, *La révolution tranquille*, 5 vols. (Montréal: Boréal, 1991); Gérard Tremblay, *La révolution tranquille*, 2 vols. (Sainte-Anne-de-Beaupré: La Revue Sainte-Anne, 1999); and John A. Dickinson and Brian Young, *A Short History of Québec* (Montreal: McGill-Queen’s UP, 2008).

9. Claude Corbo, *Le Rapport Parent, 1963-2003 : Une tranquille révolution scolaire?* (Montréal: L’Association québécoise d’histoire politique, 2004).

10. Denis Monière, *Ideologies in Québec: The Historical Development* (Toronto: University of

At the cultural-ideological level, the institutional weakening of the Catholic Church (which, it should be added, also experienced profound internal divisions and transformations itself¹¹) was paralleled by the diminishment of its influence on Quebecois. Church attendance rates plummeted almost overnight, and especially in the 1970s, fertility rates dropped as oral contraception became widespread, and sexual liberation ensued. The first female deputy was elected in 1961. Accompanying women's liberation vis-à-vis the Church, Bill 16 lifted judicial restrictions to a married woman's legal status in 1964. For secular movements, such as the association *Mouvement laïque de la langue française* (founded in 1961) and others, the liberal reforms of the Second Vatican Council (1962-65) further confirmed the need to unravel the Church's hold on social and political affairs.¹² Although blatant anticlericalism or the French conception of *laïcité* were never embraced as mobilizing discourses in this process (as they had been in late nineteenth century France), "during the Quiet Revolution of the 1960s, the Québécois rid themselves of Catholicism" as a possessor of public power, which they saw as "a gangrenous limb poisoning the national body."¹³ Meanwhile, Expo 67 showcased Quebec's development and boosted national pride. Charles de Gaulle's famous "Vive le Québec libre" speech of the same year confirmed and further inspired the national awakening. The promotion and flourishing of the French language in all aspects of social life was a key cultural constituent of building the nation. Quebecois literature, theatre, music, cinema, and overall artistic life went through a renaissance from the 1960s onward, catering towards a blossoming national identity. Legislation on French language further emboldened this trend. PLQ passed

Toronto Press, 1981), 252.

11. For more on the Catholic Church, its divisions and transformations before and during the Quiet Revolution, see Michael Gauvreau, *Catholic Origins of Quebec's Quiet Revolution, 1931-1970* (Montréal: McGill-Queen's Press, 2005); David Seljak, 'Why the Quiet Revolution was "Quiet": The Catholic Church's Reaction to the Secularization of Nationalism in Quebec after 1960,' *Historical Studies* 62 (1996): 109-124; and Gregory Baum, *The Church in Quebec* (Ottawa: Novalis, 1991).

12. Gilles Routhier, *L'Église canadienne et Vatican II* (Saint-Laurent: Éditions Fidès, 1997).

13. Geneviève Zubrzycki, *Beheading the Saint: Nationalism, Religion, and Secularism in Quebec* (Chicago: University of Chicago Press, 2016), 2. As will be discussed later in this article, despite the institutional decline, Quebecers' relationship with Catholicism as it relates to their identity remains more complicated.

Bill 63 in 1969 to promote French and Bill 22 in 1974 to make it the official language. In 1977, finally, Lévesque's PQ passed the central legislative piece on the matter, Bill 101, which secured the primary status of French in law, administration, labour relations, commerce and business, education, and other spheres of public life.¹⁴

The Neoliberal Challenge and Failed Separatist Efforts

The tremendous achievements of the economic-distributional, political-administrative, and cultural-ideological pillars in transforming the French-Canadian identity into Quebecois nationhood cannot be overstated. The Quiet Revolution set the foundations for a fast-track progression into sub-state building for French-Quebecers in these three spheres, and created an economically rich, politically robust, and culturally distinct entity within Canada. "The project in this era was social and economic development ... driven by the basic assumption that Québec is a Francophone nation, but one rooted solidly in a statist, Keynesian/social democratic model."¹⁵ In the following decades, however, the first two of these pillars began losing their centrality in the making of Quebecois identity. While the nationalist economic-distributional paradigm was weakened by Quebec's integration into the global neoliberal economy, the ideal of political-administrative autonomy received major blows by the two failed referendums on independence.

First, the idea of economic sovereignty lost ground. Prevalent in the 1960s and 1970s, Quebec's nationalist economic principles were challenged by neoliberal globalization,¹⁶ which diminished the state's protectionist

14. For an overview of Quebec's cultural and linguistic politics, see Richard Handler, *Nationalism and the Politics of Culture in Quebec* (London: University of Wisconsin Press, 1988); and Richard Y. Bourhis, ed., *Conflict and Language Planning in Quebec* (Clevedon: Multilingual Matters, 1984).

15. Cory Blad, "Globalization and the Efficacy of National Culture: A Methodological Framework for Analyzing the Neoliberal State," *International Journal of Social Inquiry* 1, no. 2 (2008): 60; see 37-67.

16. Following Harvey, I define neoliberalism as a theory and policy framework of political economic practices holding that "human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade." It is a political economic project that characterized and directed the post-1980s wave of globalization (David Harvey, *A Brief History*

capacity as “neoliberal reforms began to erode traditional state supported services throughout the province.”¹⁷ Bill 75 in 1984 deregulated the financial infrastructure. Trade balance deficit grew significantly after 1980. Especially since the 1990s, precarious employment increased, while job security diminished in the province. Purchasing power did not increase after 1975, several national companies outsourced to other countries, government spending on social programs has been reduced, and foreign trade and circulation of capital were liberalised.¹⁸ Although it may seem counterintuitive, sovereigntist leaders promoted policies to attract foreign direct investment and deregulated finance as a way of empowering Quebec’s autonomous relationship with trade partners (especially US businesses) independent of federal Canadian intervention.¹⁹ Quebec has, thus, been a keen supporter of NAFTA and WTO negotiations in order to carve out its own path for global integration. This “pro-business environment,” which prioritised investment and limited the power of labour unions, “represented a major shift in the political culture of Quebec, which, since the Quiet Revolution, was dominated by the idea that government intervention in the economy was the most important strategy of national and social development.”²⁰

Second, in terms of political sovereignty, referendums on independence in 1980 and 1995 did not bear fruit. As a modern political project, Quebec’s sovereignty movement dates back to *Rassemblement pour l’indépendance nationale* (RIN), a society founded in 1960, and which became a provincial

of *Neoliberalism* [Oxford: Oxford UP, 2005], 2). It should be noted that neoliberalism does not mean the retreat of the state; instead, it reconfigures the state in line with market priorities often at the expense of social protection networks. Neoliberal transformations are not uniform around the globe; they present themselves in “variegated,” geographically specific forms across different polities (Neil Brenner, Jamie Peck, and Nik Theodore, “Variegated Neoliberalization: Geographies, Modalities, Pathways,” *Global Networks* 10, no. 2 [2010]: 182-222).

17. Blad, “Globalization and the Efficacy of National Culture,” 60.

18. Gérard Bouchard, “Neoliberalism in Québec: The Response of a Small Nation under Pressure,” in *Social Resilience in the Neoliberal Era*, eds. Peter A. Hall and Michèle Lamont (Cambridge: Cambridge UP, 2013), 268; see 267-292.

19. Cory Blad, *Neoliberalism and National Culture: State-Building and Legitimacy in Canada and Québec* (Leiden: Brill Publishers, 2011), 147.

20. David Seljak, “Resisting the ‘No Man’s Land’ of Private Religion: The Catholic Church and Public Politics in Quebec,” in *Religion and Canadian Society: Traditions, Transitions, and Innovations*, ed. Lori G. Beaman (Toronto: Canadian Scholars’ Press, 2006), 41; see 39-53.

political party in 1963. Through a merger of RIN and *Mouvement souveraineté-association*, the PQ was founded in 1968 as a centre-left sovereigntist party. They came to power in 1976 and held a referendum on 20 May 1980 requesting a mandate to negotiate sovereignty-association with Ottawa. 60% of Quebecers rejected the proposal, yet the PQ was re-elected in 1981.²¹ Meanwhile, Canadian Prime Minister Pierre Elliot Trudeau introduced the Constitution Act in 1982, although Quebec never signed this document. An attempt at reconciliation with the Meech Lake Accord failed in 1990, as did the Charlottetown Accord in 1992. The next year, led by Lucien Bouchard, the separatist *Bloc Québécois* (established in 1991 as a federal party) won almost 50% of the votes in Quebec to become Canada's official opposition.²² The PQ organised a second referendum on 30 October 1995 at which time the sovereignty option lost narrowly (49.4% yes to 50.6% no),²³ and after which Premier Jacques Parizeau notoriously blamed “money and the ethnic vote” for the defeat. Since then, political sovereignty has been on the backburner of Quebecois politics, especially as younger generations feel less and less passionate about separation. In a 2016 survey, three-quarters of Quebecers said the province should now remain within Canada.²⁴

The argument supported here that economic-distributional and political-administrative pillars of sovereignty weakened over the past few decades does not imply that these have been completely erased from the picture. Indeed, social democratic protectionism still presents itself in the organisation of Quebec's economy, and political autonomy continues to be a core value in the province. For instance, despite neoliberalism, Quebec has managed to comparatively maintain important aspects of its social protection regime. Its unionisation rates remain the highest in Canada. Quebec resisted the strong wave of privatisation in sectors such as electricity, alcohol, lottery, insurance, and water supply. Hydro-Québec continues to be a source of national pride, Bombardier makes headlines frequently, and the protection

21. Alain-G. Gagnon and Guy Lachapelle, “Québec Confronts Canada: Two Competing Societal Projects Searching for Legitimacy,” *The Journal of Federalism* 26, no. 3 (1996): 179.

22. Gagnon and Lachapelle, “Québec Confronts Canada,” 180.

23. Gagnon and Lachapelle, “Québec Confronts Canada,” 179.

24. Angus Reid Institute, “What makes us Canadian?” October 3, 2016, <http://angusreid.org/canada-values/>.

and subsidising of – especially francophone – private companies continues. In Canada, Quebec provides the highest level of subsidies to companies, and its personal income tax is among the highest compared to other provinces.²⁵ In the words of Gérard Bouchard, “Québec society has ... managed to resist many changes induced by neoliberalism,” and “according to numerous polls ... social-democracy (state intervention, egalitarianism, networking, and social participation) is deeply rooted in the Québec psyche.”²⁶ Likewise, despite the failure of various attempts at full political sovereignty, the idea of Quebec as a distinct political entity lives on. Although binding, the 1982 Canadian Constitution was never ratified by Quebec, which holds dear its own 1975 Quebec Charter of Human Rights and Freedoms as a semi-constitutional document. Especially in immigration and cultural policy, Canada devolves a considerable amount of authority to Quebec. After 1995, “the Supreme Court has rendered decisions recognizing the uniqueness of Québec, its social values, and its distinct civil law characteristics.”²⁷ The Canadian parliamentary motion of 2006 recognised that Quebec and the Quebecois form a nation within a united Canada.²⁸ Within the province, even federalist parties, such as the PLQ, campaign for a constitutional recognition of Quebec’s distinct nationhood, and a “greater asymmetry” within Canada whereby “the concept of equality between provinces” should be challenged.²⁹ In addition to immigration and cultural policy, demands for further autonomy concern federal spending power, a provincial right to veto, and appointment of Quebec judges to the Supreme Court.³⁰

Overemphasis on the Cultural: The Rise of Catho-Laïcité

Despite their ongoing residual relevance, however, the sway of economic-distributional and political-administrative pillars is no longer as

25. Bouchard, “Neoliberalism in Québec,” 270-278.

26. Bouchard, “Neoliberalism in Québec,” 272.

27. Secrétariat aux affaires intergouvernementales canadiennes, *Quebecers, Our Way of Being Canadians: Policy on Québec Affirmation and Canadian Relations* (Québec: Gouvernement du Québec, 2017), 43; see 46-47.

28. “House passes motion recognizing Quebecois as nation,” *CBC News*, November 27, 2006, <https://www.cbc.ca/news/canada/house-passes-motion-recognizing-quebecois-as-nation-1.574359>.

29. Secrétariat, *Quebecers*, 44.

30. Secrétariat, *Quebecers*, 48-54.

dominant as that of cultural-ideological sovereignty. Since 1971, Canada has subscribed to a policy of multiculturalism, in part as a way to deal with the burning national question in Quebec;³¹ such became official federal policy with the integration of the concept in the 1982 Canadian Charter of Rights and Freedoms, and the 1988 Multiculturalism Act. These steps were seen in Quebec as federal Canada's attempt to deemphasise French-Canadians as a founding nation and dilute them as one culture among others. As Kymlicka notes, they "have opposed the 'multiculturalism' policy because they think it reduces their claims of nationhood to the level of immigrant ethnicity."³² Following the Quiet Revolution, and partly in response to federal Canada, Quebec had been developing its own *de facto* diversity management model, namely interculturalism. Although it was not theorized nor featured in official documents until relatively recently, Quebecois interculturalism has come to be defined in opposition to Canadian multiculturalism; particular emphasis has been placed on the perpetuation of French language-culture, and increased provincial jurisdiction over immigration, along with pluralism and intercommunity exchange as a way to enable the integration and participation of newcomers within a common identity.³³ Whether there are substantial differences between multiculturalism and interculturalism continues to be a matter of academic discussion, yet there is no disagreement that the distinction is real in terms of its consequences for political debates and identities in Quebec.³⁴

31. Eve Haque, "Multiculturalism within a Bilingual Framework: A Retrospective," *Canadian Ethnic Studies* 46, no. 2 (2014): 119-125.

32. Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995), 17.

33. Gérard Bouchard and Charles Taylor, *Building the Future: A Time for Reconciliation* (Québec: Gouvernement du Québec, 2008), 111-130.

34. See, for instance, Geoffrey Brahm Levey, "Interculturalism vs. Multiculturalism: A Distinction without a Difference?" *Journal of Intercultural Studies* 33, no. 2 (2012): 217-224; Charles Taylor, "Interculturalism or Multiculturalism?" *Philosophy and Social Criticism* 38, no. 4-5 (2012): 413-423; Daniel Weinstock, "Interculturalism and Multiculturalism in Canada and Quebec: Situating the Debate," in *Liberal Multiculturalism and the Fair Terms of Integration*, eds. Ayalet Banai et al. (London: Palgrave MacMillan, 2013), 92, see 91-108; Nasar Meer and Tariq Modood, "How does Interculturalism Contrast with Multiculturalism?" *Journal of Intercultural Studies* 33, no. 2 (2012): 175-196; Will Kymlicka, "Defending Diversity in an Era of Populism: Multiculturalism and Interculturalism Compared," in *Multiculturalism and Interculturalism: Debating the Dividing Lines*, eds. Nasar Meer, Tariq Modood, and Ricard

The sharp decline in birth rates (falling to 1.37 per woman in 1986) further exacerbated fears as to the extinction of French Canadian culture, as speculated in mainstream productions, such as the 1989 Radio-Canada documentary *Disparaître : le sort inévitable de la nation française d'Amérique?* Quebec's turn towards Francophone immigrants – including those from former French colonies – to protect the French language against English eventually paid off. In 2016, 78.1% of Quebecers were native French speakers (versus 7.7% English; the latter had been 13.3% in 1961). French is overwhelmingly dominant in contemporary Quebec's cultural consumption preferences. For instance, more than 90% of the most-watched TV programs are provincially produced, and only 1% of Francophone Quebecers favour films made in English Canada.³⁵ Yet an unintended consequence of linguistic success has been a new cultural challenge since the 1980s and 1990s, this time coming from religion. Although newcomers to Quebec continue to be predominantly Christian (and in particular Catholic),³⁶ many new Francophone immigrants have also been non-Christian, which “has made religion once again a matter of public discourse.”³⁷ In short, although economic protectionism and political independence are no longer powerful mobilizers of Quebec identity today, cultural autonomy continues to be a key national marker. And within the cultural domain, the religious difference of many immigrants is increasingly overtaking the linguistic anxieties of the past, which is in line with a larger trend around the world where “religion has turned into the main category of globalized identity politics,” and “governmental attempts at integration have been recast in religious idioms, largely redefining issues of [diversity] ... in terms of religious pluralism.”³⁸ In a 2013 survey, 77% of Quebecers responded that “the values of Quebec's identity are at risk due to reasonable accommodation”; 64% thought

Zapata-Barrero (Edinburgh: Edinburgh UP, 2016), 158-177.

35. Jean-Marc Léger et al., *Le Code Québec : les sept différences qui font de nous un peuple unique au monde* (Montréal: Les Éditions de l'Homme, 2016), 143.

36. Gouvernement du Québec, *Recueil de statistiques sur l'immigration et la diversité au Québec* (Québec: Bibliothèque et Archives nationales du Québec, 2014), 9. Available at: http://www.midi.gouv.qc.ca/publications/fr/dossiers/STA_ImmigrDiversite_Politique.pdf.

37. Zubrzycki, *Beheading the Saint*, 15.

38. Marian Burchardt, “Religion and Secularism in Neoliberal Capitalism,” in *Beyond Neoliberalism: Social Analysis after 1989*, eds. Marian Burchardt and Gal Kirn (New York: Palgrave Macmillan, 2017), 136, 144.

Quebec was already doing too much to “accommodate differences in culture and religion”;³⁹ 86% were convinced that religious “minorities need to do more to fit in with the mainstream”; and 86% of Quebecers agreed with the statement that “Quebec culture needs protection.”⁴⁰

Quebec’s identity anxieties regarding “newcomer” religions (such as Islam, Orthodox Judaism, and Sikhism) have greatly deepened, especially since 2006-7, when the reasonable accommodation debates intensified exponentially (so much so that the Bouchard-Taylor Report referred to the March 2006-June 2007 interval as “a time of turmoil”).⁴¹ In March 2006, the Supreme Court reversed the decision of the Quebec Court of Appeal on the “Multani Affair,” thereby authorizing the carrying of the *kirpan* (ceremonial dagger of orthodox Sikhs) in schools. The same month, at the request of the Orthodox Jewish community, a YMCA in Montréal replaced the regular glass windows in one of their exercise rooms, which had blinds, with frosted glass to further obscure the view of women in exercise clothes. Later in the year, a Muslim father filed a complaint against a childcare centre in Montréal, demanding that they serve halal food for his sons. In the course of about a year, some forty other cases were picked up (and often sensationalized) by the media, all of which concerned the accommodation of religious minorities. The issues ranged from practices involving the turban, *hijab*, and kosher food to requests for gender-based separation, blood transfusion, and exemption from music classes.⁴²

As accommodating religious minorities became a widespread concern, other developments in the early 2000s witnessed the questioning of Catholicism’s lasting influence in public institutions. With a series of reforms between 1997 and 2008, the confessional education system put in place during the Quiet Revolution was completely secularized. School boards were redefined along linguistic rather than confessional lines, meaning that the Church and state no longer shared responsibility for education. Confessional religious education, moreover, was replaced by a mandatory

39. Angus Reid Institute, “Quebecers say they’re too accommodating,” September 16, 2013, <http://angusreid.org/quebecers-say-theyre-too-accommodating-other-canadians-disagree/>.

40. Angus Reid Institute, “Quebecers, Canadians split on proposed Charter of Values,” September 10, 2013, <http://angusreid.org/quebecers-canadians-split-on-proposed-charter-of-values/>.

41. Bouchard and Taylor, *Building the Future*, 53.

42. Bouchard and Taylor, *Building the Future*, 48-58.

ethics and religious culture program.⁴³ In September 2006, the city of Laval was ordered by the Quebec Human Rights Tribunal to halt the practice of reciting Catholic prayers at their municipal council meetings. The same issue inaugurated a decade-long legal battle in the same year in Saguenay, repeating a similar controversy in Outremont in 1999. Another recurring debate was on the acceptability of installing Christmas trees in public buildings, and whether “happy holidays” should be preferable to “Merry Christmas.” Likewise, the appropriateness of maintaining the crucifix hanging in the provincial legislature became a point of heated discussion. For some Quebecers, these instances created the impression that Canadian multiculturalism (and the federal government in general) was forcing Quebec to scrap its Catholic heritage while giving too many concessions to religious minorities.⁴⁴ The open letter of Mario Dumont in January 2007, then leader of the political party *Action démocratique du Québec*, hoped to capitalize on such sentiment, denouncing the provincial government for failing to assert national values, and giving in to minority pressures. The same month, the small town of Hérouxville made international news when it passed a reactionary code of conduct, rejecting various reasonable accommodation practices for religious minorities, despite provincial and federal laws protecting them.⁴⁵

With a view to protecting cultural sovereignty, Quebec’s response to the controversies on religion, immigration, and reasonable accommodation has involved two tendencies that are *prima facie* in opposition. On the one hand, the concept of *laïcité* has gained a greater emphasis in public discourse as a philosophical outlook and policy framework to address the issue of religious diversity. On the other hand, a novel appreciation for Catholicism as a nationalised identity marker has emerged through what has been termed the “patrimonialisation” of religion. The unlikely combination that makes up this Catho-*laïcité*,⁴⁶ or secularism with Catholic partialities, demonstrates the

43. Micheline Milot, “Ecole et religion au Québec : une laïcité en tension,” *Spirale - Revue de recherches en éducation* 39 (2007): 165-176.

44. Louis-Philippe Lampron, “The Quebec Charter of Values: Using the French Concept of Laïcité to Create a Clash with the Canadian Multiculturalism,” in *Politics of Religion and Nationalism: Federalism, Consociationalism and Secession*, eds. Ferran Requejo and Klaüs-Jürgen Nagel (London: Routledge, 2015), 141; see 137-150.

45. Bouchard and Taylor, *Building the Future*, 56.

46. Jean-Yves Pranchère, “Catho-laïcité,” *Revue des deux mondes*, April (2011): 109–32; Jean-

cultural uniqueness of Quebec in different ways. While *laïcité* is presented as a buffer against Canadian multiculturalism, Catholicism highlights the Quebecois heritage on a predominantly Protestant continent with new and growing religions. In either case, the cultural sovereignty of the province is underscored.

The French conception of *laïcité* began appearing in public discourse and official policy documents in Quebec in the 1990s. Reports of *Conseil du statut de la femme* in 1995 and 1997, as well as the 1997, 1999, and 2004 publications of *Conseil des relations interculturelles*, exemplify this turning point.⁴⁷ Since then, despite the Bouchard-Taylor Report's call for *laïcité ouverte*, or a more inclusive form of secularism, a more absolutist and often oversimplified interpretation of the French concept has been championed in some Quebecois intellectual circles, as well as legislative documents.⁴⁸ For instance, multiple books have been published on why Quebec needs a more assertive form of secularism to clear the public space of religious representations;⁴⁹ also, the PQ's Charter of Values (2013-14) included the word *laïcité* in the bill's title and justified its will to ban the wearing of religious symbols by public workers with this concept. Emphasising *laïcité* as an inspirational model of integration, then Premier Pauline Marois uttered that "the best example, in my opinion, is France."⁵⁰ This "*laïcité* narrative," which is more a constituent of a nationalist discourse

Paul Willaime, "La religion civile à la française et ses métamorphoses," *Social Compass* 40, no. 4 (1993): 571–80.

47. Pauline Coté, "Québec and Reasonable Accommodation: Uses and Misuses of Public Consultation," in *Religion and Diversity in Canada*, ed. Lori Beaman (Boston: Brill Publishers, 2011), 41–66. It should be noted, however, that the word *laïcité* was missing in the secularising education acts of 2000 and 2005, as well as the ensuing ministry guidelines.

48. David Koussens and Valérie Amireaux, "Du mauvais usage de la *laïcité* française dans le débat public québécois," in *Penser la laïcité québécoise : Fondements et défense d'une laïcité ouverte au Québec*, ed. Sébastien Lévesque (Les Presses de l'Université Laval, 2014), 55–75.

49. See, for instance, Daniel Baril and Yvan Lamonde, eds., *Pour une reconnaissance de la laïcité au Québec: Enjeux philosophiques et politiques* (Laval: Les Presses de l'Université Laval, 2013); Louise Mailloux, *La Laïcité ça s'impose: La laïcité québécoise, un projet inachevé et menace* (Montréal: Renouveau Québécois, 2011); Caroline Beauchamp, *Pour un Québec laïque* (Laval: Presses de l'Université Laval, 2011).

50. Geneviève Lavoie, "La *laïcité* française inspire Marois," *Journal de Québec*, December 13, 2013, <https://www.journaldequebec.com/2013/12/13/la-laicite-francaise-inspire-marois>.

of mobilization than based on legal precedents,⁵¹ has often been used to “create a clash with ... Canadian multiculturalism” and assert Quebec’s own vision of national cohesion.⁵² Representing a transition from “linguicism to secularism” as the key issue of cultural anxiety, the *laïcité* narrative seeks to “reclaim the cultural prominence of the French Canadian majority” while also “enhancing Quebec’s distinctiveness and autonomy within the Canadian institutional framework.”⁵³ In the process, this discourse also taps into Quebec’s secularising heritage and the religious scepticism since the Quiet Revolution, which aims to create an image of continuity with the province’s past (although *laïcité* was not a commonly known or used concept in Quebec society during that period). In this sense, the *laïcité* narrative has often undermined the notion of open secularism combined with interculturalism, as defined and suggested in the Bouchard-Taylor Report.⁵⁴

Concurrent with the rising prevalence of *laïcité*, Catholicism has also been gaining emphasis as a cultural asset unique to Quebecers, although in novel and secularised forms, whereby it is embraced not as “religion,” but as “religious tradition.” According to Riesebrodt, while religious actions refer to “those whose meaning is defined by their reference to personal or impersonal superhuman powers,” religious tradition is “the historical continuity of systems of symbols” that derive from religion, and which often gets intermingled with ethnicity, nationalism, and the larger cultural framework in which it has historically grown.⁵⁵ Some survey data might help

51. Leila Benhadjoudja, “Laïcité narrative et sécularonationalisme au Québec à l’épreuve de la race, du genre et de la sexualité,” *Studies in Religion* 46, no. 2 (2017): 272-91.

52. Lampron, “The Quebec Charter of Values,” 147.

53. Daniel Weinstock, “Laïcité et multiculturalisme : même combat ?” in *Penser la laïcité québécoise : Fondements et défense d’une laïcité ouverte au Québec*, ed. Sébastien Lévesque (Québec: Les Presses de l’Université Laval, 2014), 21-30.

54. Interculturalism, according to these authors, favors an inclusive form of *laïcité*, as opposed to an absolutist version that prohibits the existence of religious representations in the public sphere. In addition to the Bouchard-Taylor Report, they expanded on these ideas separately. See, for instance, Gérard Bouchard, *L’interculturalisme : Un point de vue québécois* (Montréal: Les Éditions du Boréal, 2012); and Jocelyn Maclure and Charles Taylor, *Laïcité et liberté de conscience* (Montréal: Les Éditions du Boréal, 2010).

55. Martin Riesebrodt, *The Promise of Salvation: A Theory of Religion* (Chicago: University of Chicago Press, 2010), 76, xii; cited in Geneviève Zubrzycki, “Religion, Religious Tradition, and Nationalism: Jewish Revival in Poland and ‘Religious Heritage’ in Québec,” *Journal for the Scientific Study of Religion* 51, no. 3 (2012): 442. The distinction is in line with Demerath’s

demonstrate the validity of the distinction for the Quebecois population. Quebecers are “neither practising nor believing, but Catholic even so.” Only 6-8% attend Mass weekly, and belief in every article of faith (such as in God/higher power, Hell, Heaven, life after death) is without exception the lowest in Canada, but about 80% declare themselves Catholic.⁵⁶ Supporting these general trends, more recent survey data further suggests that having French as a mother tongue is the most important factor in predicting Catholic affiliation, confirming the link between national and religious identities.⁵⁷ 88% of Quebecers, moreover, continue to identify as Catholic if they were brought up in a Catholic household.⁵⁸ Quebec’s religious landscape, in short, represents the opposite of what sociologist Grace Davie calls “believing without belonging.”⁵⁹ Despite low levels of belief and practice, the ongoing significance of Catholic tradition and identity for Quebecers is beyond

concept of “cultural religion,” which is “an identification with a religious heritage without any religious participation or a sense of personal involvement per se” (N. Jay Demerath III, *Crossing the Gods: World Religions and Worldly Politics* [New Brunswick: Rutgers UP, 2001], 59); or Gans’s notion of “symbolic religiosity,” which designates “an attachment to a religious culture that does not entail regular participation in its rituals or organizations” (Herbert J. Gans, “Symbolic Ethnicity and Symbolic Religiosity: Towards a Comparison of Ethnic and Religious Generation,” *Ethnic and Racial Studies* 17, no. 4 [1994]: 577-92; cited in Claire Mitchell, *Religion, Identity and Politics in Northern Ireland: Boundaries of Belonging and Belief* [Aldershot: Ashgate, 2005], 6). It is also in line with Charles Taylor’s notion of “Neo-Durkheimian” religion in which, instead of belief, religion offers an implicit core for national identity (Taylor, *A Secular Age* [London: Harvard UP, 2007], 455-459).

56. These statistics are, respectively, from the following: Konrad Yakabuski, “Neither practising nor believing, but Catholic even so,” *Globe and Mail*, August 14, 2009, <https://beta.theglobeandmail.com/globe-debate/neither-practising-nor-believing-but-catholic-even-so/article4329828/>; Randy Boswell, “Religion not important to most Canadians,” *National Post*, April 7, 2012, <http://nationalpost.com/holy-post/religion-not-important-to-most-canadians-although-majority-believe-in-god-poll>; and Angus Reid Institute, “A spectrum of spirituality: Canadians keep the faith to varying degrees, but few reject it entirely,” April 13, 2017. For the detailed report: http://angusreid.org/wp-content/uploads/2017/04/2017.04.10_FaithContinuum-Demos_releasetables.pdf.

57. Jean-François Nault and E.-Martin Meunier, “Is Quebec Still a Catholically Distinct Society within Canada? An Examination of Catholic Affiliation and Mass Attendance,” *Studies in Religion* 46, no. 2 (2017): 237; see 230-248.

58. Reginald Bibby and Angus Reid, *Canada’s Catholics: Vitality and Hope in a New Era* (Ottawa: Novalis, 2016).

59. Grace Davie, “Believing without Belonging: Is This the Future of Religion in Britain?” *Social Compass* 37, no. 4 (1990): 455-469.

doubt.

To be sure, Quebec's twofold relationship with Catholicism is not new; it has a long history. On the one hand, as discussed in previous sections, nationalism since the 1960s developed in large part as a rejection of the Church's authority in public life. The Church came to be seen as a backward force that stood in the way of Quebec's sovereign nation building since the Quiet Revolution, and a detriment to the social and economic modernisation of the territory. The Church's hold on gender relations, education, culture, social services, and labour unions was broken; religious scepticism became a constitutive element of modern Québécois nationalism. On the other hand, Catholicism has always represented a distinctive cultural marker to hold on to against largely Protestant English Canada. After the British conquest of New France, the Church played a key role in the demographic and cultural survival of the French colonists. As the latter feared assimilation in the Act of Union (1841) and the Constitution Act (1867), the Church became the unifying institution and symbol for the maintenance of a distinct French identity throughout the nineteenth century and onwards.⁶⁰ And since the reasonable accommodation debates, Catholicism has been becoming a cultural marker in the face of newcomer religions. *Québécois de souche*, although often not religious themselves, and often strongly loyal to the province's secularising spirit since the 1960s, fear that the complete undermining of Catholicism may be equivalent to the undermining of the French-Canadian culture in North America, as religion and ethnicity have been inseparable to them for centuries.

Catho-*laïcité* in today's Quebec presents itself through the "patrimonialisation" of the religious tradition, which is "the discursive, material, and legal ways in which religious symbols, artifacts, and practices are sacralized as secular elements of the nation and its history."⁶¹ In this formula, the crucifix hanging in the Quebec provincial legislature since 1936, for instance, does not represent religion, but heritage. The immediate response of Quebec's politicians to the Bouchard-Taylor Report in 2008 was to pass, on the same day as the report's publication, a unanimous parliamentary

60. Fernand Dumont, "Histoire du catholicisme québécois, histoire d'une société," *Recherches sociographiques* 27, no. 1 (1986): 115–25.

61. Zubrzycki, *Beheading the Saint*, 164.

motion to protect the crucifix.⁶² Then Premier Jean Charest defended his government's proposition by asserting that "the crucifix is about 350 years of history in Quebec that none of us are ever going to erase."⁶³ Similarly, days after passing Bill 62 on religious neutrality, the PLQ rejected a motion to remove the crucifix, and the Minister of Culture, Marie Montpetit, said that the crucifix "is above all a patrimonial symbol ... There's a history behind it."⁶⁴ Bill 62 itself, although promoting "religious neutrality," clarified in its introduction and Section 16 that "the measures introduced in this Act must not be interpreted as affecting the emblematic and toponymic elements of Québec's cultural heritage, in particular its religious cultural heritage, that testify to its history."⁶⁵ The PQ's Charter of Values in 2013 contained similar language to preserve Catholic symbols (including the crucifix in the parliament and the 100-foot cross on Mount Royal, Montréal), and as many commentators have pointed out, its suggested ban on religious garments for public workers "inherently favoured Christians, who are not required to wear religious symbols or specific forms of clothing."⁶⁶ Since 1995, moreover, the government spent close to \$300 million through the *Conseil du patrimoine religieux du Québec* to preserve and maintain Catholic-patrimonial buildings and artefacts. Though overturned by the Supreme Court of Canada two years later, in 2013 the Quebec Court of Appeal upheld Catholic prayers in Saguenay's municipal council meetings as compatible with secularism, as it was deemed to represent a patrimonial (and not religious) practice. The judge's opinion stated that "the state is supposed to defend the common good – including the safekeeping of its cultural heritage," and that "we still cannot ignore the patrimonial reality without risking that [Quebec] cut

62. "Québec garde le crucifix," *Radio-Canada*, May 22, 2008, <https://ici.radio-canada.ca/nouvelle/397862/reax-bt-politique>.

63. "Crucifix stays in legislature, Charest says," *Hamilton Spectator*, May 23, 2008, <https://www.thespec.com/news-story/2111583-crucifix-stays-in-legislature-charest-says/>.

64. Martin Croteau, "Le gouvernement libéral refuse de retirer le crucifix à l'Assemblée nationale," *La Presse*, October 24, 2017, <http://www.lapresse.ca/actualites/politique/politique-quebecoise/201710/24/01-5141100-le-gouvernement-liberal-refuse-de-retirer-le-crucifix-a-lassemblee-nationale.php>.

65. R-26.2.01, "Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies," 2017, <http://legisquebec.gouv.qc.ca/en/ShowDoc/cs/R-26.2.01>.

66. Zubrzycki, *Beheading the Saint*, 162.

itself off from the bases that shaped its evolution.”⁶⁷ These are but a few examples that speak to the patrimonialisation of Catholicism, which, much like the simultaneous rise of the *laïcité* narrative, helps bring forth and aims to safeguard Quebec’s cultural uniqueness.

Conclusions: Sovereignty by Other Means

Studying Quebec’s complex history, which witnessed the construction of national sovereignty in its economic-distributional, political-administrative, and cultural-ideological pillars, may advance our understanding of the reasonable accommodation debates that dominated the province’s last decade. As the first two of these pillars weakened due to neoliberal globalisation and failed independence referendums, the cultural-ideological pillar has come forward to be the core asset marking Quebecois specificity. The case of Quebec is not an outlier; it is part of a larger, global neoliberal trend whereby “the erosion of traditional legitimacy strategies,” such as economic and political sovereignty, is commonly observed. In response, many states today seek “legitimacy through increasingly cultural means,” which is all the more true for sub-state entities that are particularly “reliant on culture/national identity for legitimation purposes.”⁶⁸ And within the cultural domain in Quebec, given the relative security of the French language, the religious component of culture evolved to be crucial. Quebec’s unique response to the reasonable accommodation debates, which amalgamated a rising emphasis on a *laïcité* narrative with a “patrimonialised” rendition of Catholicism, serves to highlight its cultural-ideological exceptionality vis-à-vis two different groups at the same time: religious minorities at home, and the largely Protestant, multiculturalist English Canada. The Bouchard-Taylor Report highlighted that “Quebecers of French-Canadian ancestry are still not at ease with their twofold status as a majority in Quebec and a minority in Canada.”⁶⁹ Embracing the Catholic heritage while retaining allegiance to *laïcité* helps affirm the sovereignty of Quebec, and this time it is cultural. A longer-term, historical sociological perspective crystallises the

67. *Saguenay (ville de) c. Mouvement laïque québécois*, [2013] QCCA 936. Greffe de Québec 200-09-007328-112 (150-53-000016-081), <https://www.canlii.org/fr/qc/qcca/doc/2013/2013qcca936/2013qcca936.html>.

68. Blad, *Neoliberalism and National Culture*, 16-17.

69. Bouchard and Taylor, *Building the Future*, 18.

link between these two seemingly separate phenomena, namely Quebec's contention to be a sovereign nation and pursue identity building, and its more recent reasonable accommodation controversies. The working outline laid out in this paper could be enriched with the inclusion of multiple other explanatory variables, such as the changing dynamics of social class in the province, the altering relationship between urban and rural Quebec, as well as comparative-historical analyses that involve culturally similar cases, such as France and Belgium, and struggles for independence, such as in Scotland, Ireland, and Catalonia. The tools and methodologies of historical sociology have a lot to offer to further the conversation.

