
*BRIEF CONCERNING BILL-60: CHARTER AFFIRMING THE VALUES OF STATE
SECULARISM AND RELIGIOUS NEUTRALITY AND OF EQUALITY BETWEEN WOMEN
AND MEN, AND PROVIDING A FRAMEWORK FOR ACCOMMODATION REQUESTS*



**NATIONAL COUNCIL
OF CANADIAN MUSLIMS**

Your Voice. Your Future.

December 20, 2013

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Executive Summary

- 1 Some Muslim women wear head-coverings (*hijab*) or face-coverings (*niqab*) in public as part of their practice of deep religious convictions. It is part of who they are. Bill 60 requires members of religious minority groups to dress like people who they are not in order to access public sector employment. It is a direct violation of their human rights.
- 2 The stated legislative objectives of state religious neutrality and ensuring the equality between men and women are disconnected from the prohibitions on religious dress and the requirement to bare one's face when receiving government services.
- 3 Excluding Muslim women from public sector employment or the access to government services does nothing to facilitate their empowerment or those of other women. To the contrary, it creates increased levels of dependency.
- 4 The religious affiliation of public sector employees cannot undermine the neutrality of the state. Concerns about the appearance of fair treatment and proselytization by public officials can be addressed by regulating employee behaviour, not attire and without excluding individuals based on their religious beliefs.
- 5 To achieve its important policy objectives, Quebec's childcare system should remain universally accessible by continuing to address dietary bias.
- 6 Refusal of *reasonable* religious accommodations will result in significant violations of the religious rights of minority religious groups.
- 7 Institutional discrimination against Muslims (and other religious minorities) will lead to their marginalization and social isolation in the long-term. It has already reinforced negative stereotypes and has led to an increase in hate-motivated incidents.
- 8 In order to prevent the negative consequences of Bill 60 while still advancing the objectives of state religious neutrality and gender equality, it is advisable to:
 - (a) replace the prohibition on religious symbols with a requirement to take an oath or solemn declaration encapsulating the duty of religious reserve and neutrality;
 - (b) limit the obligation to receive public services with one's face uncovered to uncovering one's face for purposes of identification;
 - (c) specify that the accommodation of religiously motivated dietary restrictions does NOT constitute prohibited religious instruction in a childcare setting; and
 - (d) remove the requirement to refuse accommodation requests that are seen to compromise the secular nature of the State.

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About the National Council of Canadian Muslims (NCCM)

- 9 NCCM is a leading voice that enriches Canadian society through Muslim civic engagement and the promotion of human rights. Our mandate is to protect the human rights & civil liberties of Canadian Muslims, promote their public interests and challenge Islamophobia.
- 10 It is a national, independent, grassroots, non-governmental organization that works to achieve its mission through community education and outreach, media engagement, anti-discrimination initiatives, public advocacy and partnering with other social justice organizations.
- 11 NCCM also regularly provides media commentary on issues affecting Canadian Muslims. It offers regular seminars and workshops on Islamic practices and issues of religious accommodation, and produces a number of publications which include guides outlining Islamic religious practices for journalists, employers, educators, and health care providers. NCCM also distributes a concise “Know Your Rights” pocket guide in both English and French. These publications are regularly requested by government departments, local and national media outlets, police services, hospitals, schools, private firms, and various non-profit groups.
- 12 NCCM documents and resolves discrimination and bias-related complaints. It produces reports on anti-Muslim sentiment and reports its findings annually to the ODIRH of the Organization for Economic Cooperation and Development (OECD). It has also presented findings at national and international conferences.

- 13 NCCM is federally incorporated and is fully funded and sustained through private donations. NCCM does not accept donations from foreign organizations or governments.
- 14 Its current board of directors includes Kashif A. Ahmed, JD (Chair), Khalid Elgazzar, LLB (Vice-Chair), Shahina Siddiqui, Selma Djukic, Aftab Sabir, MBA, and Khadija Haffajee.

Religious Identity Does Not Change At Work

- 15 For people of faith, religion is part of a person's identity in a manner analogous to their gender, ethnic origin, family status and other immutable personal characteristics. It goes to the core of their most closely held beliefs.
- 16 Like other religions, Islam includes both a set of beliefs and practices. These beliefs and practices have been maintained by Muslims in an extremely large variety of contexts for over 1,400 years.¹ It is by living in accordance with their beliefs that Muslims strive for meaning in their life and achieve spiritual fulfillment.
- 17 It is generally accepted that Muslims, both men and women, are required by their faith to both act and dress modestly. The exact expression of that personal modesty, in relation to dress, varies. Some Muslim women sincerely believe that wearing a head covering (*hijab*) or face covering (*niqab*) while in public is a requirement of their faith.
- 18 For those who wear *hijab* and *niqab* as part of their practice of religion, they believe that it must be worn whenever they are in public. For these women, there is no option of removing it in public during working hours. To provide an analogy, a conscientious person of faith cannot be expected to accept employment where she would be required to mislead clients even if she would only be doing this during working hours. She would feel compelled to be truthful all the time. Similarly, for a Muslim, personal modesty cannot be turned on and off according to the requirements of a particular job. It is a part of who they are all the time.

Muslim Women Best Understand Their Own Their Religious Practices

- 19 It is our submission that the only proper and practical perspective to understand *hijab* and *niqab* is that of the women who choose to wear it today in Quebec. They are most knowledgeable of their own practices and they are most affected by the proposed legislation.

¹Esposito, John L. *Islam: The Straight Path*. New York: Oxford UP, 1998. Print.

- 20 Women in Quebec choose to wear hijab in Quebec primarily because it is part of their sincerely held religious belief.²In addition to the religious reasons, some women also wear it as a matter of culture, tradition or comfort.³
- 21 Much of the public discourse surrounding the proposed legislation relies on stereotypes of women.⁴ It involves attaching a meaning to the religious practices of Muslims women that they do not themselves attach to it. These cannot be appropriately used as the basis of any legislation and certainly not for legislation which limits rights drastically.

Bill 60 Violates Religious Freedom and Equality Rights

Freedom of Religion Is Important

- 22 Freedom of religion includes the right to hold religious beliefs and to publicly manifest those beliefs without discrimination. The freedom also includes the right not to be compelled by any religion.⁵Freedom of religion emphasizes personal choice and individual autonomy. It requires that “no one is to be forced to act in a way contrary to his beliefs or his conscience.”⁶
- 23 This freedom is explicitly protected in all major international human rights instruments.⁷ It is also enshrined in Quebec law through section 3 of Quebec’s *Charter of Human Rights and Freedoms* and section 2(a) of the *Canadian Charter of Rights and Freedoms* along with the prohibition on religious based discrimination.⁸
- 24 Like other human rights, the protection of freedom of religion has at its core the preservation of human dignity. Restrictions on religious rights or the participation in

²Bullock, Katherine. *Rethinking Muslim Women and the Veil: Challenging Historical & Modern Stereotypes*. Herndon, VA: International Institute of Islamic Thought, 2002. Print.

³*Ibid.*

⁴*Ibid.* Cooper, Celine. “Hard to deny values charter is eroding social climate” (Montreal Gazette, 1 Dec. 2013), online

<<http://www.montrealgazette.com/life/Hard+deny+values+charter+eroding+social+climate/9234111/story.html>>.

⁵UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), available at: <http://www.refworld.org/docid/3ae6b3712c.html> [accessed 13 December 2013], art. 2 and art. 18.

⁶*R. v. Big M Drug Mart Ltd.*, [1985] 1 S.C.R. 295 at p. 94-95.

⁷ See, for example, UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), available at: <http://www.refworld.org/docid/3ae6b3712c.html> [accessed 13 December 2013], art. 2 and art. 18; UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171, available at: <http://www.refworld.org/docid/3ae6b3aa0.html> [accessed 13 December 2013], art. 18; UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, available at: <http://www.refworld.org/docid/3ae6b36co.html> [accessed 13 December 2013], art. 13(3).

⁸*Canadian Charter of Rights and Freedoms*, s 2 and *Quebec Charter of Rights and Freedoms*, s. 10.

society of individuals who exercise their religious rights is a direct attack on human dignity. Restriction of religious freedoms or the unequal treatment of religious groups leads to conflict, ghettoization and deterioration in social cohesion.⁹By definition, a free society “can accommodate a wide variety of beliefs, diversity of tastes and pursuits, customs and codes of conduct.”¹⁰

Bill 60 Is Discriminatory

Although the prohibition on the wearing of religious symbols in the public sector would apply equally to all religious groups, in practice it almost exclusively affects Muslim women, and Jewish and Sikh men. While it would certainly have been troubling to see legislation in Quebec that would specifically exclude Muslim women from public sector employment, the prohibition on religious garments worn by Muslim women has the same affect.

- 25 The Bill creates a shield for discriminatory behavior by specifically prohibiting requests for accommodations that would otherwise be reasonable and constitutionally necessary.

Rights Are Already Limited in Situation of Necessity

- 26 There are certain situations where restrictions on religious practices are necessary. If a particular function cannot be reasonably fulfilled by someone wearing religious garb and reasonable accommodation is not possible, the law in Quebec allows employer’s and service providers to exclude that individual.¹¹For example,
- a shampoo commercial model cannot refuse to have her hair filmed;
 - a speech therapist must allow patients to see her mouth during training sessions;
 - an obstetric patient must expose her abdomen to get an ultrasound; and
 - a woman in *niqab* must uncover her face to a security officer for purposes of identification.
- 27 Unlike these situations, where the nature of the job or service requires a deviation from religious practices, the prohibitions in Bill-60 are not necessary. Those prohibitions are much broader and automatically exclude people from accessing services or public sector

⁹See, for example, MacClure, Joeeyln. “Freedom of conscience and the Quebec Charter of Values” (Policy Options, Nov. 2013), online: <<http://irpp.org/en/po/vive-montreal-libre/charte-des-valeurs/>>. “ See also, for example, Leo Grossman, *Essays on International Law and Organization* (Dobby Ferry: BRILL, 1984), p. 5 discussing the Peace of Westphalia in relation to the protection of minority groups.

¹⁰*R. v. Big M Drug Mart Ltd.*, [1985] 1 S.C.R. 295 at p. 94-95.

¹¹ There is no obligation to accommodate a person in cases of undue hardship including situations where the accommodation would result in an excessive financial burden, interference with operation of an organization, an infringement of the right of others or a significant impairment of the security of others. See, for example, <http://www.cdpcj.qc.ca/en/droits-de-la-personne/responsabilites-employeurs/Pages/accommodement.aspx> (accessed on December 13, 2013).

employment due to their religious practice *regardless of whether and how* that practice impacts on the actual service or duties of the job. The resort to a general ban on religious attire is completely disproportionate and misconnected to the goal of maintaining a fair and neutral public space.

Restrictions on Religious Rights in Bill 60 Are Disconnected from Legislative Objectives

- 28 Governments can impose limits on rights including religious freedom and equality rights in narrow circumstances. Under section 1 of the *Canadian Charter of Rights and Freedoms*, rights and freedoms are guaranteed “subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.”
- 29 In order to justify limiting rights and freedoms, the government action must be reasonably expected to achieve, in the least rights impairing manner, a pressing and substantial objective.¹²

No Rational Justification for Restricting Religious Symbols

- 30 The stated objective for prohibiting visible religious symbols (or clothing) by public employees is to preserve the religious neutrality of the state. The prohibition on religious symbols is neither rationally connected to this objective nor is it the least rights impairing way of achieving it.
- 31 First and foremost, state religious neutrality does not require that employees hide their affiliation with a particular faith anymore than it requires them to hide their gender, ethnic origin, disability status or other personal characteristics. The fact that individuals working in the public sector exhibit varied ethnic backgrounds, skin color, gender, (dis)ability and sexual orientation does not compromise the state's neutrality. On the contrary, the presence of a diversity of individuals in the public sector is itself a testament to the neutrality of the state. Compelling homogeneity is not the way to ensure neutrality. If all public servants belonged to one social group, people would have good reason to question the neutrality of the state.¹³
- 32 Third, neither freedom of religion, nor the principle of state neutrality, has ever been intended to force religious people into the closet, or to restrict religion to the private realm. There is no right, qualified or unqualified, to be free from exposure to other people's religion. To even suggest such entitlement is to seriously undermine the possibility of religious freedom and preclude any possibility of religious diversity.

¹²*R. v. Oakes* [1986], 1 SCR 103.

¹³ See, for example, Quebec, Bouchard, Gerald and Taylor, Charles. *Building the Future: A Time for Reconciliation* (2008), online: Government of Quebec <<http://www.accommodements-quebec.ca/documentation/rapports/rapport-final-integral-en.pdf>> (*Bouchard-Taylor Report*) at p. 22.

- 33 Furthermore, it is incorrect to assume that employees who wear visible religious clothing are somehow more intense in their belief or practice of religion. First, this is not the case as, for example, a zealous evangelical Christian may not feel obligated to wear any form of religious clothing while a moderate Muslim woman may wear a hijab. Religious attire is not a window into the nature or intensity of an individual's religious belief.
- 34 Even if we are to assume that individuals wearing religious apparel are more intense in their religious belief, this is no justification, in and of itself, to draw assumptions about the likelihood that they will try to spread their religion to others. Justifying a ban with a stereotype about a group of people is the very definition of discrimination.
- 35 Finally, if there are concerns about the core professional competencies of a public employee who wears religious garb, there are many means short of a ban to ensure that employees do not engage in prohibited conduct. For example, employees could be required to take an oath or solemn declaration that they will act even-handedly and refrain from proselytizing while on the job. These obligations are already captured in constitutional and human rights approaches to religious freedom, and may be codified in employment contracts. Until such methods are shown ineffective, it is not justifiable to exclude *ab initio* members of religious groups from public employment.

No Rational Justification for Always Baring One's Face to Receive Services

- 36 The justification for requiring individuals accessing government services to have their face uncovered is not clear. The stated objective is to promote gender equality. The religious neutrality of the state is not affected by the attire of those using or providing its services.¹⁴ The Bill is not rationally connected to its objective of promoting gender equality.
- 37 First, it asserts control, which women have long fought to reclaim, over a woman's body in the public space. The Bill effectively silences and dismisses the voices of women directly affected by the proposed legislation. Legislative acts to control a woman's mode of dress and governmentally imposed decisions concerning "what is best" for women are acts of disempowerment, a denial of free choice, and the archaic dismissal of a woman's intellectual capacity to make her own decisions.
- 38 Second, the Bill addresses government services that facilitate a women's ability to fully integrate and participate in society, including: education, health care, and child services. Denying women full access to these services will marginalize them.

¹⁴ See, for example, *Bouchard-Taylor Report* at p. 22.

- 39 Finally, the Bill's denial of access to government services does nothing to assist women, who may be coerced into wearing *niqab*. To the contrary, it makes them more susceptible to such coercion by reducing their access to potentially beneficial services.

Requirement to Bare Face Will Lead to More Accommodation Requests

- 40 In the past, women wearing *niqab* would only be required to bare their face where it was required by the circumstances. In practice, they were required to bare their face for purposes of identification.
- 41 Under this scheme, they would now be required to request an accommodation every time they access any government services likely leading to an increase in the number of accommodation requests. In addition, even where identification is not required, the government service provider will need to make an assessment of the impact of covering one's face on the ill-defined concepts of communication and security. This will be a case by case assessment. The result will be an increased number of accommodation requests and more uncertainty about the outcomes of those requests.

RECOMMENDATION 1: Replace section 5 with a requirement for public employees to take oath or solemn affirmation with regards to the duties of neutrality and religious reserve specified in sections 3 and 4.

RECOMMENDATION 2: Limit sections 6 and 7 to uncovering one's face where required for purposes of identification.

Accommodating Dietary Practices Is Required for a Universally Accessible System

- 42 Quebec's one fee universal childcare system is among the best childcare systems in Canada (and, likely, one of the best in the world). The significant investment of public resources¹⁵ in the system aims not only to improve child development outcomes but also to "vastly improve the prospects of women and the poor, and build a better labour force."¹⁶ In order to continue to achieve those positive outcomes, the system must remain universally accessible to everyone.
- 43 To achieve a truly open and inclusive system, accommodations must be provided to address adverse effects discrimination including the effects of menu selection.

¹⁵ Quebec spends approximately 2.2 billion dollars per year on its subsidized childcare system according to Anderssen, Erin & Mackrael, Kim. "Better daycare for \$7/day: One province's solution for Canada" *The Globe and Mail* 8 Oct. 2013, online: <<http://www.theglobeandmail.com/life/parenting/the-one-province-that-gets-daycare-right-in-canada-think-7-a-day/article14933862/?page=all>> (accessed on December 13, 2013).

¹⁶*Ibid.*

44 Bill 60 specifies in s. 30(3):

a repeated activity or practice stemming from a religious precept, in particular with regard to dietary matters, must not be authorized if its aim, through words or actions, is to teach children that precept

45 It is not clear whether the implementation of this provision would result in refusing to offer menu options suitable to a child's religious or ethical needs (halal, kosher, vegetarian). If that is the intended interpretation, the government is essentially forcing parents of children from religious minority groups to provide their own child's meal or snack in childcare. This practice raises concerns about food contamination, safe storage and nutritional appropriateness.¹⁷ It also undermines the idea of providing a universal system that treats everyone equally.

46 Such a rule refuses to compensate for the effects of indirect discrimination resulting from the selection of a menu suitable to non-religious or Christian parents but not those from other religious groups.

RECOMMENDATION 3: Add a subsection to section 30 clarifying that that the accommodation of religiously motivated dietary restrictions does NOT constitute prohibited religious instruction in a childcare setting;

Restrictions on Religious Accommodation Hurt Religious Minorities

47 Bill 60, s. 15 provides that

[...] when an accommodation request on religious grounds is submitted to a public body, the public body must make sure that ... (4) the accommodation requested does not compromise the separation of religions and State or the religious neutrality and secular nature of the State.

48 The only extensive study of accommodations practices in the province is the study cited as justification for Bill 60, the Bouchard-Taylor Commission report.¹⁸ In that report, it was found that there was no actual accommodation crisis. The number and nature of accommodation requests was neither alarmingly high nor were unreasonable resolutions being proposed. The crisis was a crisis of perception resulting from the

¹⁷ See, for example, Regulation 262 under *Day Nurseries Act*, R.R.O. 1990., s. 40.

¹⁸ See, for example, "Soiree Charte a Longueuil", online: <<http://blogues.journaldemontreal.com/joseelegault/tag/bernard-drainville/>> . In the public discussion referenced, Minister Drainville was asked about studies supporting the proposed Charter of Values and he responded: "Bouchard-Taylor." Similar comments were made in the national assembly debate following the tabling of Bill 60.

massive publication of accommodation requests during a relatively short period of time.¹⁹

- 49 The purpose of accommodation on religious grounds is to address situations where the effect of a rule or practice adversely impacts the ability of a person to practice their religion. The accommodation is meant to balance or compensate for the unintentional imposition of a burden or denial of a benefit.
- 50 As aptly noted by the Quebec Human Rights Tribunal, the public body charged with carefully weighing different human rights and giving effect to the obligations to protect them:

[...]the principle of neutrality cannot be considered, in and of itself, as constituting undue hardship, making the accommodation impossible. The duty of neutrality cannot rule out, in the abstract and out of any context, the duty to reasonably accommodate.²⁰

- 51 As noted earlier, even in the absence of Bill 60, accommodation requests cannot be granted where the effect is to infringe on another person's rights. It is therefore unnecessary to include an additional requirement that may undermine the ability to obtain any religious accommodation.
- 52 Removing the possibility of religious accommodation creates a significant restriction on religious rights. As religious minorities are most susceptible to face structural or adverse effects discrimination and may occasionally require accommodation, this requirement will result in their rights being compromised.

RECOMMENDATION 4: Remove section 15(4), which requires accommodation requests not compromise the secular nature of the state.

Institutional Discrimination Will Have Far Reaching Affects

- 53 While the immediate effect of Bill 60 (Chapter II and III) will be to exclude a group of Muslim women from public sector employment and services, its affects are far reaching.

¹⁹*Bouchard-Taylor Report*, p. 18.

²⁰*Commission des droits de la personne et des droits de la jeunesse c. Centre à la petite enfance Gros Bec*, 2008 QCTDP 14 (CanLII), <<http://canlii.ca/t/1zmf8>>retrieved on 2013-12-13), para 231.

Legislation will drive Xenophobia / Islamophobia

54 Anti-Muslim sentiment is on the rise across Canada and remains highest in Quebec.²¹ The government can do a lot to either assuage or legitimize these concerns. Bill 60 is essentially telling Quebecers that citizens' suspicions of Muslims are justified. By excluding visible Muslims from the public sector employment and/ or services, it will be possible to overcome anxiety that Quebecers might be experiencing about their cultural identity within North America.

55 The study being cited as justification for the current legislation specifically addressed this issue:

Among some Quebecers, this counter-reaction targets immigrants, who have become, to some extent, scapegoats. What has just happened in Québec gives the impression of a face-off between two minority groups, each of which is asking the other to accommodate it. The members of the ethnocultural majority are afraid of being swamped by fragile minorities that are worried about their future. The conjunction of these two anxieties is obviously not likely to foster integration in a spirit of equality and reciprocity.²²

56 By promoting the exclusion of visible religious minorities from the public sector, the government is adding to existing anxieties instead of attempting to diminish them. For example, by calling sincerely held religious practices “ostentatious symbols,” it suggests very directly that religious practices of minority religion do not harbour any deeper meaning for the individuals involved, which is highly inaccurate. What is very normal or unostentatious to the wearer of clothing can be seen as shocking by the less familiar. The government, just by the words used to frame the discussion, has already confirmed that “shocking” is the more reasonable interpretation. The justification for the ban can only be made by ignoring the actual experiences of the affected individuals and instead relying on stereotypes about Muslim minorities being disloyal and untrustworthy.

57 The result has been that not only is the general anti-Muslim sentiment on the rise but Muslim women who adopt *hijab* or *niqab* have been the victims of increased hate-motivated incidents.²³ **It is our submission that the protection of religious**

²¹Angus Reid Canadian Opinion Poll (Released: 2 October 2013), online <<http://www.angusreidglobal.com/wp-content/uploads/2013/10/Canadians-view-non-Christian-religions-with-uncertainty-dislike.pdf>>.

²²*Bouchard-Taylor Report*, p. 18.

²³ See Scott, Marion. “Islamophobia surging in Quebec since charter, group says: 117 complains of verbal, physical abuse made between Sept. 15 and Oct. 15 compared with 25 total for previous nine months” (Montreal Gazette, 6 Nov. 2013), online: <<http://www.montrealgazette.com/life/Islamophobia+surging+Quebec+since+charter+group+says/912>>

minority groups from hate related incident must be a serious consideration in any government action and cannot be merely seen as collateral damage.

Economic consequences for Muslim women far reaching

- 58 It is expected that the proposed legislation will increase economic vulnerability and dependency of Muslim women who wear *hijab* and *niqab*. As it stands now, there is already a gap in the earning of men and women, especially those from minority and immigrant communities. This gap, which would rightly be the target of legislation aimed at promoting gender equality, would instead be exasperated by the proposed legislation for several reasons.
- 59 First, Muslim women who wear *hijab* and *niqab* will no longer have access to public sector jobs. The employment sectors affected by Bill 60's restriction on religious clothing are sectors where women are over-represented including childcare, healthcare, education and the civil service.
- 60 Second, Muslim women may also find themselves excluded from many private sector employment opportunities as the government has encouraged the private sector to follow its lead in creating secular workplaces.²⁴ The result will be that for someone who is Muslim and wears *hijab* or *niqab*, it will be virtually impossible to find gainful employment in Quebec.
- 61 Third, the proposed legislation will create a significant and undesirable distortion in the labour market. Where Muslim women are able to find work in the private sector, they can expect to be paid less. As there will be less demand for their service, the law of supply and demand will ensure that those services are perceived as less valuable.
- 62 Women's empowerment is "the processes through which women gained the capacity for exercising strategic forms of agency in relation to their own lives as well as in relation to

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[7608/story.html](http://www.cbc.ca/news/canada/montreal/violence-against-muslim-women-on-the-rise-group-says-1.1876564)>. See also "Violence against Muslim women on the rise, group says: Quebec women's centres see dozens of racist incidents since start of secular charter debate" (CBC News, 2 Oct. 2013), online: <<http://www.cbc.ca/news/canada/montreal/violence-against-muslim-women-on-the-rise-group-says-1.1876564>>. See also, for example, "Quebec values charter sending tolerance, civilized discussion out the window" (National Post, 29 Nov. 2013), online: <<http://fullcomment.nationalpost.com/2013/11/29/graeme-hamilton-quebec-values-charter-sending-tolerance-civilized-discussion-out-the-window/>> reporting the attack on Mylene Pichette. See also Selley, Chris, "Chris Selley: Quebec's latest niqab panic" (National Post, 22 November 2013), online: <<http://fullcomment.nationalpost.com/2013/11/23/chris-selley-quebecs-latest-niqab-panic/>>.

²⁴ See, for example, Leblanc, Daniel, & Coussineau, Sophie. "PQ presses private sector to follow its lead on secular workplaces" (Globe and Mail, 11 Sept. 2013), online: <http://www.theglobeandmail.com/news/politics/pq-presses-private-sector-to-follow-its-lead-on-secular-workplaces/article14268573/>.

the larger structures of constraint that positioned them as subordinate to men.”²⁵ Economic empowerment is recognized as an increasingly important component and necessitates increased and not diminished access to employment. Bill 60 is disempowering for Muslim women.

Conclusion

While pursuing noble legislative objectives, Bill 60 in its current form will do little to actually advance those objectives. To the contrary, both state religious neutrality and gender equality will be undermined. With the proposed amendments, it will be possible to further the legislative objectives, while at the same time mitigating some of the very serious and troubling consequences on religious minority groups.

²⁵Kabeer, Naila, *Women's economic empowerment and inclusive growth: labour markets and enterprise development* (UK, Department of International Development, 2012), online: <<http://www.idrc.ca/EN/Documents/NK-WEE-Concept-Paper.pdf>>, p. 6.