

**Québec's Intercultural Response to Religio-Cultural Pluralism:
*What's at Stake for Religious Freedom?***

*Chris Durante,
Faculty of Religious Studies
McGill University*

ABSTRACT: Recently, the government of Québec established a consultation commission chaired by sociologist Gérard Bouchard and philosopher Charles Taylor to engage the public and explore issues relating to the reasonable accommodation of cultural diversity in Québec and to formulate recommendations regarding accommodation practices and policies for coping with cultural pluralism in Québec society. After holding a number of public hearings and consulting a variety of experts the commissioners put out a report in which they espouse a philosophy of interculturalism and recommend that it serve as a guiding principle for the formulation of accommodation policies in Québec.

After a brief discussion of the notion of interculturality in Québécois socio-political thought a critical analysis of the concept of interculturalism as it is explicated in the Bouchard-Taylor Commission's report on reasonable accommodation will be provided. Discussing the themes of pluralism, secularity and integration the commission suggests that interculturalism can serve as a conceptual framework in which a shared identity can be fostered and shared public values can be developed. Consequently, the ways in which the commission's intercultural policy recommendations come to bear upon considerations of religio-cultural identity in Québec society and will explore the impact of such policies on issues regarding religious liberties and freedoms.

Situated as a nation within a nation, the province of Québec is in a unique situation, for it is simultaneously home to a linguistic culture that has vied and fought diligently to survive and yet has become home to a rich religio-cultural diversity, as immigrants set their sites on cities such as Montreal to establish new lives. The case of Québec presents us with the rare circumstance in which we witness the phenomenon of cultural pluralism occurring in two distinct modalities. First, there is the Québécois culture, which has endured long hardships to preserve the French language and struggles to secure and ensure linguistic liberties within the greater context of Canada. To this end Québec's place within the Canadian nation is an archetype of what Will Kymlicka refers to as sub-national multiculturalism

(Kymlicka 2007, 68) and an exemplar of a minority group's fight for linguistic freedom.

Secondly, as a sub-nation in and of itself Québec is witnessing a rise in diversity within its own borders as immigration increases and the Francophone majority of the province attempts to cope with a panoply of religious pluralism without losing its own cultural distinctiveness. While Québec seeks to ensure the survival of the Québécois culture and the preservation of the French language it must deal with the claims for religious freedom of the religio-cultural minorities living within the province.

As a result the province of Québec has established what it refers to as a "Moral Contract" that all citizens are expected to adhere to and has adopted the philosophy of interculturalism as the guiding political theory for a society that is, as the moral contract specifies, pluralistic and welcomes novel contributions to the existing culture; a democratic community in which all are encouraged to participate; and for a nation in which French is the common public language. Seeking to preserve its lingua-cultural liberties Québec faces the predicament of attempting to manage diversity while preventing the fragmentation of its society and hence, promotes integration and shared values as to foster social unity and cohesion within the province. (Gagnon & Iacovino 2005; Bouchard Taylor 2008, 108)

However, calls for religious freedom have arisen as ethno-religious minorities within the province have begun to feel as if this promotion of integration, unity and cohesion either forces them to assimilate to a post-Catholic secular culture in which religion is seen as a private affair or works to exclude them from Québécois society when they continue to hold religious values and beliefs that some perceive as alien to, incommensurable with, and potentially threatening toward the traditional francophone culture that exists in Québec.

From issues regarding requests for the establishment of religious courts or the legal recognition of religious arbitration - be they Chalaka or Sharia based - to the external display of religiosity by wearing religious symbols that some might find offensive – such as a burkha, hijab, or kirpan – Québec has been grappling with the task of accommodating various claims for religious liberty while attempting to maintain a degree of harmony within society and preserve the core elements of the pre-existing Québécois culture.

Recently, the government of Québec established a consultation commission chaired by sociologist Gérard Bouchard and philosopher Charles Taylor to engage the public and explore issues relating to the reasonable accommodation of cultural diversity in Québec, and to formulate recommendations regarding accommodation practices and policies for coping with pluralism in Québec society (Bouchard Taylor 2008, 33). After holding a number of public hearings and consulting a variety of experts the commissioners put out a report in which they endorse the philosophy of interculturalism. Espousing their own interpretation of interculturalism the commissioners recommend that it serve as the guiding model for the formulation of accommodation policies and the management of diversity in Québec.

As a political philosophy, Interculturalism, as opposed to Canadian Multiculturalism, stresses the importance of “integration” and a “convergence” of cultures and resists the ideal of society as an ethno-cultural mosaic (Gagnon 2005). Interculturalism is self-purportedly simultaneously about respecting diversity while attempting to preserve the culture of Québec’s Francophone majority. Attempting to combat the stratification of society by emphasizing the integral role that a fusion of multiple ethno-religious and religio-cultural groups play in creating and maintaining social unity and a cohesive political community, the intercultural agenda promotes accommodating religious pluralism while simultaneously promoting the core values

of Québec and integrating new comers into the socio-cultural fold, so to speak (Bouchard-Taylor 2008, 19, 113-121).

While a convergence of perspectives and shared values do seem to be amenable to the establishment and cultivation of a cohesive society these ideals tend to down play the fact that moral and religious diversity entail not only distinct - and at times incommensurable - values but distinct modes of self-identity that are not only intimately linked to particular religious collectives but which the citizens bearing such identities wish to retain and are granted the freedom to do so by the Québec Charter of Human Rights and Freedoms.

Interculturalism is a secular political philosophy that espouses a vision of society as a united community and hence, attempts to foster a shared sense of identity amongst all persons. This is to be achieved through what is being referred to as “Open Secularism,” which espouses the ideal of a religiously diverse yet secular society united through the adoption of values that are not particular to any given religio-cultural perspective but which are held in common amongst all groups (Bouchard & Taylor 2008, 134-135). While laudable for its harmonious ideal, the problem with this quasi-communitarian outlook is not it’s communitarianism per se; rather, it’s problem is that it postulates too wide a view of community. It overlooks the fact that when persons identify as members of a religious tradition they partake in a way of life and enjoin in a community of like-minded cohorts devoted to the realization of and fulfillment of a highly particular vision of the good that brings people into commune with one another and which necessarily distinguishes them from the larger socio-political body in which they reside.

If the socio-political order is secular and secularity entails State neutrality, the political community will and must always remain distinct from any particular religious community found therein. However, despite this distinction there is no reason why the political community is unable to recognize itself as a community of

communities that does not only grant accommodations to persons as individuals but to persons as members of other ethno-religious communities as well.

Granted, Bouchard and Taylor attempt to speak to this issue when they announce that Québec interculturalism upholds the principle of multiple identities, claiming that there is not only a right to maintain affiliations with one's ethno-cultural group but that doing so is a healthy means of integrating newcomers into society at large (Bouchard & Taylor 2008, 120). However, this principle merely grants people the right to maintain affiliations with one's ethno-cultural group and draws no distinction between ethno-cultural groups, professional associations and religious communities. The problem is that one can retain a pride in one's ethnicity and still see herself as being fully integrated into the secular political culture we are all suppose to share with much greater ease than a person whose entire mode of living is shaped by her religious values, commitments and beliefs. Religion prescribes a way of life and a vision of the good in ways in which ethnicity does not.

The type of question that is being asked is: "How do we foster Civic Unity Despite a Commitment to Respecting Diversity?" A Supplementary question that we must be asking is: "To what extent the ideals of cohesion, convergence and integration infringe upon the freedoms of persons to associate with, identify with, and be in community with other people, with whom they already share values and a way of life?" Creating a shared identity and discovering the shared values that will make this possible is said to entail negotiation and compromise. To this end the commission has suggested that the confinement of religious differences to the private domain hinders acceptance of the other and lends itself to the marginalization of religious minorities (Bouchard & Taylor 2008, 142-143).

Subsequently, in their acknowledgment of the importance of allowing religion to enter the public arena - as a means of promoting intercultural harmony (something which I personally praise them for) - they have suggested that the citizens, as opposed

to the legal institutions, adopt the practice of “Concerted Adjustment,” which relies on mutual dialogue, negotiation, and compromise (Bouchard & Taylor 2008, 20, 163). However, the notion of “Concerted Adjustment” raises a number of questions regarding the appropriate methods of intercultural dialogical exchange. For instance, how is constructive dialogue to proceed in lieu of irreconcilable values and ethical norms? The commissioners do not give us a robust method, or really any method at all, for how we are to go about conducting this dialogue in an effective manner. Moreover, what happens when certain religious beliefs are held to be non-negotiable? Are all such beliefs never to be accommodated under the intercultural model of governance?

That which interculturalism fails to adequately recognize is that many religious values and beliefs are held to be absolute, universal, immutable, and hence, non-negotiable truths; not simply preferences, interests, or opinions from which one can be easily swayed and with which one can easily part for the sake of some greater good. Living out one’s religious faith is the greater good for a great deal of religious persons; and, for the faithful, is arguably more important than intercultural harmony. Thus, how are we to even convince such persons to join in the dialogue in the first place?

With interculturalism we get a taste of Gadamer’s “fusion of horizons”, (Gadamer 1989) a soft semblance of Rousseau’s notion of “Civil Religion,” (Rousseau 1994) and a hint of Mead’s ideal of “International-Mindedness”, all being coupled with a call for a quasi-contractarian deal-making method of conflict resolution. This latter request however, seems to be at odds with the cohesive harmony we are all suppose to share in as a united people. A united identity begotten through shared values entails common commitments and shared goals that go beyond the common interests of a social bargain, struck through methods akin to those of a business deal. Further, Bouchard and Taylor tell us that the “deliberative dimension” of “concerted

adjustment” enables self-reflection and allows persons to “engage in self-criticism and mend their ways when necessary” (Bouchard & Taylor 2008b, 52). However, this kind of fallibilism seems impossible to achieve when the ways to be mended are practices that are believed to be imperative for practicing one’s faith, maintaining one’s epistemic integrity and retaining one’s religious identity.

Another highly contentious claim put forth by the commissioners is their definition of religion as subjective conscience. Recently, Québec courts have adopted a sincerity of belief criterion for evaluating requests for religious accommodation, as opposed to the previous objectivity standard, which entailed bringing in religious authorities and expert witnesses to attest to and confirm the existence and authenticity of certain laws, precepts, and practices said to be integral to a given religious tradition. Bouchard and Taylor endorse this new approach arguing that a “subjective conception of religion” is more beneficial on the basis that it “circumvents the virtually insolvable problem of trying to define what is or what is not a religion” (Bouchard & Taylor 2008b, 58).

While a subjective definition of religion based upon sincerity of belief does indeed avoid the pitfalls of overly narrow definitions of religion, it leaves the door wide open for a plethora of beliefs to be considered religious, yet in doing so gives us such a vague conception of religion that we must question whether it can actually do the work interculturalism wants it to? Namely: recognize, respect and accommodate differences in ways that foster harmony and mutual understanding. The conflation of conscience and religion fails to recognize and respect the ways in which religious persons often view their own religiosity and the salient differences between philosophical positions that might be abandoned, if through debate one were convinced otherwise, and deep devotion to divinely inspired causes, divinely authorized commands, and the traditions that uphold them.

Now, I must ask: Are all sincerely held beliefs to be considered religious? If so, what are we to say about the schizophrenic who sincerely believes in his delusions? Would sincerely held political beliefs be akin to religious convictions? And, if so would the State be forced to accommodate political ideologies that are inherently opposed to the political ideology that the State itself endorses?

Due to restraints regarding brevity I am unable to provide a more robust discussion of the appropriate or best legal definition of religion. But suffice it to say that a major shortcoming of this subjective definition of religion is that it fails to account for the collective dimension of religiosity and the communal aspects of religious traditions. Many Catholic and Orthodox Christians, for example, view the *Ekklesia*, or the Church, as a united body of believers that becomes crucial to their own Christian identity. Likewise, the notion of the *Umma*, or community of those who have submitted themselves to the will of Allah, plays an integral role in the identity of many Muslims.

Further, the report, and its subjective conception of religion, is guilty of conflating freedom of conscience and freedom of religion. In doing so this conception of religion overlooks the idea that religious liberty - as opposed to mere freedom of belief - entails not only the freedom to believe what one believes, but also expressive liberties, associative liberties, and certain negative liberties concerning membership criteria, internal organization, and doctrinal matters. Just as "Freedom of belief" is an empty ideal without the freedom to express and act upon such beliefs "Freedom of Religion" becomes an empty ideal when it is dissociated from the freedom to congregate with co-religionists and form communities with fellow members of a faith tradition as to collectively embody that way of life. In addition to beliefs and values, religion entails collectively performing certain practices constitutive of a tradition. What needs to be recognized is that particular

communities, not merely individuals, are required to uphold, maintain, and practice certain traditions.

For a philosopher such as Taylor, who has himself lamented the negative consequences of what he calls the “slide to subjectivism” and who has argued for the recognition of the value of diverse cultures and the importance of dialogical relationality (Taylor 1991), to endorse a “subjective conception of religion” (Bouchard and Taylor 2008) not only comes as a surprise but, is itself lamentable insofar as this view fails to recognize an integral aspect of what it means for persons to partake in a religio-cultural tradition. The collective dimension of religion must be acknowledged not simply as a means of constructing an adequate definition of religion – be it academic or legal – but to ensure and properly secure a people’s right to religious liberty. Their right to form religious congregations, to be recognized as united communities that define themselves in ways that differ from the ways in which the political community defines itself must be a part of this conception of religious liberty if it is to do justice to the ways in which religious persons wish to be free to pursue their religious faith.

When a people’s own conception of their faith is integrally tied to being part of a collective body and they hold a communitarian definition of religion, a sincerity of belief model fails to recognize a crucial aspect of what it means for that person to be “religious.” Taylor himself speaks of the human self’s vital need for recognition yet his proposed definition of religion is unable to recognize a vital aspect of what it means to be immersed in a religious tradition (Taylor 1991). Bouchard and Taylor fail to adequately account for the ways in which religious persons actually define themselves and hence, endorse a political model that is ill equipped to accommodate any community-based claims and requests being made by religious citizens.

References:

- Bouchard, G. & Taylor, C. 2008. *Building the Future: A Time for Reconciliation*.
Bibliothèque et Archives nationales du Québec, Gouvernement du Québec.
QC, Canada.
- Bouchard, G. & Taylor, C. 2008b. *Building the Future: A Time for Reconciliation*.
Abridged Report. Bibliothèque et Archives nationales du Québec,
Gouvernement du Québec. QC, Canada.
- Gadamer, H.G. 1989. *Truth and Method*. 2nd rev. edition. Trans. J. Weinsheimer
and D.G.Marshall. Crossroad Publishing. New York, NY.
- Gagnon, A. & Iacovino, R. 2005. Interculturalism: Expanding the Boundaries of
Citizenship. In *Democracy, Nationalism and Multiculturalism*, Ramón Máiz and
Ferran Requejo, eds. Frank Cass Publishers. New York, NY.
- Kymlicka, W. 2007. *Multicultural Odysseys*. Oxford University Press. New York, NY.
- Mead, G. H. 1929. National-Mindedness and International Mindedness.
International Journal of Ethics 39.4: 385-407. University of Chicago Press.
Chicago, IL.
- Rousseau, J. 1994. *The Social Contract*. Trans. Christopher Betts. Oxford
Univeristy Press. New York, NY.
- Taylor, C. 1991. *The Ethics of Authenticity*. Harvard University Press. Cambridge,
Mass. USA.