

Accommodate This!

A Feminist and Anti-Racist Response to the “Reasonable Accommodation” Hearings in Quebec

ROBYN MAYNARD AND SOPHIE LE-PHAT HO

La campagne « Accommode Donc Ça! » a été formée en réaction au contenu raciste et sexiste de la Commission sur les accommodements raisonnables qui fut largement médiatisée et désavouée par plusieurs Canadiennes et Québécoises. De plus, on a rejeté la consultation en raison de la « structure » même des audiences qui furent vues comme fondamentalement racistes et sexistes, sans égard à tous les commentaires dérogatoires entendus durant les audiences. Les auteures présentent un point de vue féministe et anti-raciste sur les accommodements raisonnables du Québec.

At the beginning of 2007, a so-called debate surrounding “reasonable accommodations”¹ emerged in a particular political and social context in Quebec. As will be explained below, those circumstances helped make visible the racist and sexist nature of government policies towards indigenous peoples and (im)migrants since the colonization of Canada. The focus on reasonable accommodation—as a framework for the surge in xenophobia in Quebec—mainly came about with the help of politicians and corporate media. The Accommodate This! Campaign came together in the Fall of 2007 as a response to the Consultation Commission on Accommodation Practices Related to Cultural Differences (the Bouchard-Taylor Commission on Reasonable Accommodation). A grassroots coalition that included long-standing migrants rights organizations in Montreal, activist and support groups as well as individuals, students and others, the campaign quickly denounced the Commission as racist and sexist in its very foundation. Officially, the Commission aimed to tour the province in order to “take stock of accommodation practices” in Quebec by way of a “public consultation,” but organizers of Accommodate This!, in Montreal, saw the initiative as yet another one that supports the silencing of the struggles of (im)migrant and indigenous communities through the co-optation of “democracy” (and its associated techniques). The following aims to, first, detail how the “reasonable accommodation debate” emerged and led to

the establishment of the Bouchard-Taylor Commission; second, describe the various elements that constituted the Accommodate This! Campaign; and third, expose the analysis that explicate the need for that campaign and the various actions it took forth, along with exposing the struggles and the work of a diversity of migrant justice groups and individuals in Montreal whose demands were structurally and systematically suppressed by the very mandate of the Bouchard-Taylor Commission.

The Emergence of the “Reasonable Accommodation Debate” in Quebec

Xenophobia in Quebec comes up now and then in a particular environment and social context that is undoubtedly mediated by Quebec nationalism and issues of identity. Furthermore, the rise of a more overt antagonistic discourse that brings out existing social relations of race, gender and class into the public is facilitated by official politics, which turns “immigrants” into a “debate” through the media. Take, for instance, the media attention that followed the statement of Jacques Parizeau (Parti québécois), when the “Yes” side lost the 1995 referendum, about (money and) the “ethnic vote,” and where “we” clearly meant the Francophone majority. Twelve years later, in 2007, the so-called “reasonable accommodation debate” is not so foreign and, in fact, is completely coherent with the way (im)migrant communities and policies have been interfacing since the colonization of Canada, as will be detailed below (also see poster in Annex).

In 2007, one will remember that the provincial Liberal Party had been re-elected, just over a year before the end of their five-year mandate, on March 26, 2007, as a minority government—a first for the province since more than a century. Furthermore, the Action démocratique (ADQ)—conservative party that managed to acquire only a few seats over the years and was bounded by its third-party status—made a breakthrough and became the official op-

position for the first time, relegating the nationalist Parti québécois to the third place. While a thorough political analysis is impossible here, important to our purposes is to bear in mind that those elections focused especially on issues of “integration” (of immigrants), “multiculturalism/interculturalism,” “secularism,” and “cultural and religious minorities” in Quebec.

More specifically, those issues were often raised by depicting (im)migrant communities through highly mediated and arguably anecdotal instances of “reasonable accommodation” and by putting forward the stereotype that Muslim women are victims of their own religion and “culture” (mainly in terms of gender relations).² On this game field of official politics, the ADQ aimed to demonstrate a more overt position relative to the other parties, by suggesting that a Quebec “Constitution” be written in order to defend “national identity” against these “other cultures” which did not embrace “democracy” the way Quebecers did. Over the year of 2007, each political party proposed its “measures” concerning the “defence” of national identity against (im)migrants, who in fact wish to assert their rights, showing that, despite their claims, the ADQ, the Parti québécois and the Liberal Party share very similar views when it comes to (im)migrant communities.

Indeed, a few weeks before Quebec Premier Jean Charest called for a general election, at the end of February 2007, he announced the establishment of the Consultation Commission on Accommodation Practices Related to Cultural Differences, “in response to public discontent over reasonable accommodation” (according to a press release, February 8, 2007). The official mandate of the Commission, according to the same release, was to: “take stock of accommodation practices in Québec; analyse the attendant issues bearing in mind the experience of other societies; conduct an extensive consultation on this topic; and formulate recommendations to the government to ensure that accommodation practices conform to the values of Québec society as a pluralistic, democratic, egalitarian society.” Furthermore, the explicit aim of the Commission was to approach the issue of accommodation from a “broad” yet ambitious perspective, examining the “sociocultural integration model established in Québec since the 1970s,” that is, beyond the narrower, legal dimension of reasonable accommodation.

Between March and August, an advisory committee, composed of mostly academics, was formed, along with discussion groups composed of “experts,” focus groups composed of “individuals,” and various meetings with representatives of organizations and government took place in what was meant to be preparation for the Public Consultation. Then, the television-broadcast and Quebec-wide consultation took place between September and December in many regions of the province and was co-chaired by two relatively famous academics, sociologist Gérard Bouchard and philosopher Charles Taylor. Televised public hearings

mainly took the form of presentations of submitted briefs as well as so-called citizen forums composed of “open-mic” two-minute long interventions. Corporate and mass media especially focused on the latter.

The Bouchard-Taylor Commission was not, despite its impression at the time, one of a kind. Many such interactive “democratic” technologies had been toyed with elsewhere: the Royal Commission on the Status of Women (1967-1970), the Royal Commission on Aboriginal People (1991-1996), as well as a number of provincial public inquiries on the role of religion and identity in public school, services, and associations. Yet, the commission in question is unique at least in part insofar as its mediation is concerned, but also, curiously, in its framing. In fact, the commissioners summarized the situation in a way that encompasses the implicit yet clear divide between the Francophone majority and (im)migrants—as a founding principle of the Commission—as well as revealed its pervasiveness, in the following statement:

Some Quebecers perceive recent intercultural friction as a crisis. We believe that it can also be examined in a positive light since it affords us an opportunity to redefine and strengthen the ties that bring us together. It is useful to remind ourselves, in this respect, that Québec's situation is not unique. Many Western nations are facing the same challenge, that of reviewing the major codes governing life together to accommodate ethnocultural differences while respecting rights. (“Message from the Co-Chairs,” Bouchard-Taylor Commission website)

In short, the so-called public consultation was only one of the culminating points of a surge in more outright (and necessarily existing) racism via the corporate media and mainly provoked by politicians in Quebec. It is our claim that racialized groups in Quebec were thus instrumentalized, among other things, as electoral issues to further political agendas which are fundamentally racist and sexist. However, this sort of objectification did not put off the concerned subjects from reacting to what was happening. On the contrary, many individuals, community groups and organizations found it important to denounce what was going on and to shed light on the continuing racism and its real impact on communities, and doing so from a historical perspective, beginning with the colonization of Canada.

Accommodate This! In Written and Spoken Words, Images and Sounds

As the Quebec-wide Bouchard-Taylor Commission was to reach its hearings in Montreal, Accommodate This! came quickly together in the Fall of 2007 in the form of a grassroots coalition that included long-standing migrants

rights organizations in Montreal, activist and support groups as well as individuals, students and others. Second generation immigrants composed one of the most active bodies of the network. The coalition was prompted in part by the release of a public statement by No One is Illegal—Montreal, on November 12, 2007,³ as a response to the Bouchard-Taylor Commission of which the broadcast of racist comments by different individuals across Quebec had been going on since September. Other allies that had a mobilizing role included the Simone de Beauvoir Institute, which eloquently denounced the position of

real issues faced by racialized and migrant communities in Montreal while highlighting the racist and sexist underpinnings of the Bouchard-Taylor Commission. These public workshops were entitled “Intersections: Anti-Racism and Feminism,” “Gender, Race, and Religious Identity,” and “Fighting State and Interpersonal Gender Violence,” which took place at Université du Québec à Montréal (UQAM), the Centre des femmes d’ici et d’ailleurs, and the South Asian Women Community Center (SAWCC), respectively, and were animated by both activists and allied scholars. All workshops were open and allowed

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the Conseil du statut de la femme as racist and sexist (i.e., racist feminism), as well as organisations like Immigrant Workers Centre, the South Asian Women Community Center (SAWCC) and the Refusing Intolerance in Québec (R.I.Qc) network.

By the end of November, hundreds were mobilized to picket and flyer during the two hearings in Montreal, at the Palais des Congrès, on November 27 and 29. Right before the end of the first picket, protesters were repressed and some arrested by the police, whose brutality was also directed at elderly people and children present. The political repression and police brutality were denounced by Accommodate This! via a public statement and a press conference the following day. Other press releases and press points included the denunciation of the racist policies presented by Quebec political parties. As mentioned previously, following the footsteps of the ADQ and its Quebec Constitution idea, the Parti québécois, in turn, proposed to implement “Quebec citizenship” in order to “protect” the French language, and the Liberal Party suggested to make new immigrants sign an agreement stating their “moral commitment to” and “understanding” of “Quebec values” as part of the selection process.

Following the actions that took place during the presence of the commission in Montreal (its final destination), the Accommodate This! Campaign organized a workshop series and put together a “counter-report” that would be launched during the same period as the Bouchard-Taylor one was initially announced to be released, that is, in March 2008. While the commissioners, at the very last minute, requested more time to deliver their report (which would eventually come out in May), during a National Week of Action Against Racism, in the month of March, Accommodate This! held three community workshops that would address and deepen our understanding of the

critical discussion on racism and sexism outside of the structures and the mindset imposed by the establishment of the Commission.

A culmination of the series of actions organized by Accommodate This! since Fall 2007, the launch of the “counter-report” and the workshops aimed to shift focus on the real and pressing issues faced by racialized and migrant communities in Montreal, such as unjust immigration laws, deportations, detentions, surveillance and harassment, exploitation at work, poverty, criminalization, sexism, police brutality, racial profiling and precarity. The AT! poster was a central popular education tool that was widely distributed as part of the “counter-report” and launched during a community forum followed by an evening of musical and spoken word performances and testimonies. While the poster exposed the racist and sexist nature of the commission, as well as put forth ideas and facts obliterated by the racist and colonial ideology and history at the basis of the latter, the AT! report consisted of a collection of testimonies, articles, analysis, letters, discussions, narratives, in written, audio and video forms—produced over the years and documenting the voices of migrant and racialized communities speaking out against racism, sexism and all forms of marginalization.

In the summer of 2008, Accommodate This! continued its work in proposing self-determining approaches to discourses pertaining to (im)migrant life by instigating a youth video free school in the Park Extension neighbourhood of Montreal. Combining anti-racist and anti-oppression workshops with film technique ones, various youth were supported in their collective endeavour to express their perspectives on racism in Quebec today. The resulting video,⁴ as well as the AT! poster and the counter-report are available on the web.⁵

—Sophie Le-Phat Ho

The Accommodate This! Analysis of the “Reasonable Accommodation” Hearings

The Accommodate This! Campaign was formed not only as a response to the racist and sexist *content* of the Reasonable Accommodation Commission, which was widely reported, and indeed disavowed by many Canadians and Quebecers; it was formed as a rejection of the consultation because it was the very *structure* of the hearings which were seen as implicitly racist and sexist, regardless of how many particular individuals made explicitly derogatory comments throughout the hearings.

The mandate of the Commission officially outlines that it was a space in which Quebec society was to evaluate its “management of diversity”⁶ in terms of seeking a “reasonable accommodation” of “cultural differences,” which does not alter the self-definition of Quebec society as “pluralistic, democratic, egalitarian.”⁷ This mandate therefore creates a binary between Quebec society and (im)migrant “cultures,” and it is these “cultures” which were posited as that which is a potential threat to “Québécois society.” The protests surrounding the consultation and the Accommodate This! Campaign perceived the commission to stand in judgment of (im)migrant communities, which were seen as distinct from the *Québécois*-Quebec society.

The structure can be seen as a twofold process both of domination and submission, that is, reproducing and naturalizing white dominance over racialized immigrant communities, on the one hand, and encouraging the submission of minority populations, who were called on to placate the imagined threats they now embodied, and to justify their very existence in Quebec, on the other. This racial dominance is inherent to the structure of the consultation, both in the selection of two white men to oversee the consultation, as well as the identities of the initially addressed consultees, the so-called “Québécois de souche,” of French European descent (and thus white), having been seen to be the ones primarily necessitating a platform. It was therefore these individuals who were seen to have the power to determine which “cultural differences” could be seen as “reasonable.” The consultation functioned productively as a state-sanctioned exercise which legitimated and perpetuated the perceived moral and rational authority of white settler culture to delineate *the boundaries of tolerance itself*. The political ramifications of the latter were thus a reproduction of a form of racial and cultural dominance in establishing the allowable “diversity” of already marginalized cultures, leaving the means of this determination in the hands of white descendents of Europeans. This only served to further sanction the seeming “natural” right of white Quebecers to determine the lives of racialized cultural minorities. The latter is part of an historical legacy that persists into the present, in the form of the continued dispossession of unceded Indigenous territories, the continual police harassment and criminalization of youth of colour, and the economic

exploitation of those with precarious citizenship status. The seemingly “common-sense right” of the two white commissioners to determine the reasonable or unreasonable accommodation practices towards migrant communities can be seen as even less appropriate given the absolute silence of the entire commission with regards to the fact that Quebec exists on stolen Indigenous territory. The Accommodate This! Campaign rejected the notion that white European descendents, as settlers, should be granted the moral authority to determine, on stolen Indigenous land, the practices of (im)migrant communities.

The commission was also one which reproduced the submission of cultural minorities: due to the very structure of the debate which posited cultural minorities as a perceived potential threat to Quebec’s “pluralistic, democratic, egalitarian” society, immigrant communities were thus implicitly seen in opposition to that ensemble, as backward, traditional, and inherently sexist. That framework thus served to put (im)migrant communities in a position where they have to justify their presence and plead their desire for assimilation, that is, to become a “good Québécois” who does not indeed threaten the aforementioned values. The AT! Campaign, which consisted largely of immigrants of first and second generations, refused to submit to that judgment or plead a case within that framework, and felt the need to instead create an alternative discussion from a place of solidarity *with* (im)migrant communities.

Sexism was also a major issue built into the commission itself. In examining the content of the consultation, it is easy to spot the sexism in the representation of racialized immigrant women. This is exemplified by the intense scrutiny and focus on “the veil,” symptomatic of a sexist representation of Muslim women as “other” and as victims who need to be “saved” from their “culture” by western society. The very structure of the commission itself, however, was also one that was implicitly sexist. In defining one of the “core values” of Quebec as “equality between women and men,”⁸ it is important to examine the racializing implications of what and who precisely constitute the category of “women” in order for the above self-definition to maintain any validity. In projecting the threat of sexism as an invasive and external force carried on by immigrants, this framework is a distortion of the realities facing migrant women, which serves to disguise the question of whom precisely is being asked to accommodate whose sexism, both “at home” and abroad. The exploitation of women is in fact built into the Canadian economy. For instance, 95 percent of all domestic workers in Canada are Filipino women,⁹ and thus these women can be seen as representing considerable import to the Canadian economy. In examining the Live-in Caregiver Program, one of the only means by which women without capital can legally enter the country and achieve permanent resident status,¹⁰ the economic exploitation of Filipina women is readily apparent and documented. Legislation places these domestic workers at the mercy of their employers

because leaving this position requires going through an in-between period without access to any wages or even healthcare. This threat being compounded by the threat of deportation if too much time passes, as 24 months of labour must be completed within the first three years.¹¹ This creates a situation by which women indeed cannot exercise their rights as workers or as women, and because of this there is rampant physical and emotional abuse, as well as forced unpaid overtime.¹² When examining this, it becomes clear that the utilization of “gender equality” as a self-definition is one which can function only by racial-

against the blatant xenophobia that had sprung out of the “open-mic” aspects of the Commission, citing that these fears were not based in reality, but rather a “crisis of perception” and called for a reconciliation, and more tolerance in Quebecois society. However, the right of the Commission to ever take place, the arrogance of Bouchard and Taylor’s perceived “right” to determine the “reasonable-ness” of (im)migrants, remained unquestioned. The calls for tolerance merely address the surface of the realities faced by many (im)migrants in Quebec. The fact that the largest “crisis” was seen as a “crisis in perception”

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izing particular categories of women out of the definition of “female,” thereby erasing the perpetuation of gendered and racialized oppression of women from *within* Quebec society. The constitution of the threat of the sexism of the “other” has also been used in anti-feminist policies abroad, indeed resulting in forced migration. Canada’s presence in Afghanistan was in part defended using a feminist argument that it would liberate Afghani women from the sexism they faced from their “culture,” but indeed, as cited by the Revolutionary Association of the Women of Afghanistan in their statement on October 7th 2008, this war is one which in fact increased the hardship of women in Afghanistan and hurt their own struggles for independence and self-determination, and instead showered them with bullets¹³ and causing massive displacement.

By positing migrant communities as a threat to gender equality, the daily threats of sexism faced by migrant women because of Quebec’s and Canada’s economy are rendered invisible. Constructing sexism as an external threat projected onto and embodied in “other” cultures, which can therefore be “liberated,” is in fact an anti-feminist act which takes away from the self-determination of these same women. This co-opting of feminist language to oppress women of the global south is, indeed, a form of racism. It denies the exploitative realities that women of colour, both present in Canada as migrant labourers, as well “abroad” in Afghanistan, in that their realities as racialized women are not taken into account when “gender equality” is lauded as definitive of “Quebecois values.”

Conclusion

When the report finally came out, Bouchard and Taylor concluded that most Quebecers were indeed characterized by an “openness to the Other,”¹⁴ and also came out

is demonstrative of this; it excludes the crisis of exploitation currently being faced by temporary labourers and non-status peoples due to precarious citizenship, as well as racialized migrants facing economic discrimination and being exposed to racial profiling by police—issues brought forward by many who participated in Accommodate This! “Reconciliation” cannot take the place of *justice*. Indeed, these realities expose a more *systematic* racism and sexism, which cannot be rectified by one of the many symbolic recommendations promoting tolerance, including “the exploration and promotion of common values as rallying points.” What effect would “the promotion of common values” have on the migrant Filipino women being systematically denied access to just labour conditions?

Notably, the report, when finally released (after a months-long delay), made far less of an impact than did the Commission itself. Indeed, instead of leading to positive social changes towards so-called “minority cultures,” the differences between “Quebecois” and “migrants,” as structured into the Commission by Bouchard and Taylor, re-appeared when a new law was passed in January 2008 to immigrate: it is now necessary to sign a pledge to the “shared values” of Quebec. Although this was not a recommendation made by the Bouchard and Taylor report, these changes are not contradictory with the structure of their commission, which was based on the distinction between the *Quebecois-Quebecois* and immigrants, as well as the newly perpetuated myth of “shared values” as already existing in Quebec and not present in “other” cultures.

Political parties no longer discuss “Reasonable Accommodation” anymore, and it is no longer a media spinword. However, the unreasonable “accommodations” that (im)migrants, racialized people, and women still face in Quebec have not been altered. PINAY is still active against the exploitative Live-in Caregivers Programs, and migrant

justice organizers are still organizing against unfair detentions, deportations, and exploitative labour situations of those with precarious status. Long after hundreds and thousands of dollars were poured into this commission with its now nearly forgotten report, many of those who had been active with Accommodate This! continue to struggle, not for tokenistic “better understanding” between “cultural minorities” and white Quebecers, but against colonization, unjust border legislation, economic exploitation, and for the self-determination of migrants, immigrants, women, and Indigenous peoples.

—Robyn Maynard

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Robyn Maynard is a member of the No One Is Illegal Montreal network, and works with Project X, a community-based group which collects and distributes testimonials of youth facing racial profiling in Montreal, as well as doing grassroots popular education about legal rights. She was active in organizing the protests surrounding the “Reasonable Accommodation” hearings and participated in the Accommodate This! workshop series as a representative of No One Is Illegal Montreal in March 2008, as well as co-animating the anti-racist workshop for the video free school in summer 2008. She works at the Collectif de Recherche sur l’Autonomie Collective documenting feminist anti-authoritarian social movements in Quebec, concentrating specifically on anti-racist and anti-colonial organizing. She is also completing a joint-honours degree in Cultural Studies and Philosophy at McGill University.

Sophie Le-Phat Ho is a researcher and cultural organizer from Montreal. She was an active organizer within Accommodate This! and the youth video free school, and is a member of the No One Is Illegal Montreal network. Currently the coordinator of the DOCAM research project at the Daniel Langlois Foundation for Art, Science, and Technology, Sophie completed her studies in Environment and Social Studies of Medicine at McGill University, and earned a Master in Anthropology of Health and the Body in the 21st Century at Goldsmiths College (University of London) in the United Kingdom. She has been the interim programming coordinator at Studio XX feminist artist-run centre and was one of the curators of Upgrade Montréal as part of the Upgrade International network. As the co-founder of Artivistic (artivistic.org), she works at the intersection of art, science and activism.

¹According to the Bouchard-Taylor Commission website, “reasonable accommodation” is: An arrangement that falls under the legal sphere, more specifically case law, aimed at relaxing the application of a standard in favour of an individual threatened with discrimination because of personal traits protected by law. (Source: <<http://www.accommodements.qc.ca/documentation/glossaire-en.html>>.)

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²For example, see: http://en.wikipedia.org/wiki/H%C3%A9rouxville_Quebec. (“Hérouxville received international attention in January 2007 when its town council passed controversial measures concerning practices which the residents deemed unsuitable for life in Hérouxville for potential new immigrants, despite the fact that the town has no immigrant population.”)

³<<http://nooneisillegal-montreal.blogspot.com/2007/11/reasonable-accomodation.html>>.

⁴*Raphael and Sasha* (16 minutes) <<http://citizen.nfb.ca/raphael-and-sasha>>.

⁵Accommodate This! Counter-report <<http://accommodatethis.net>>.

⁶“Purpose of Consultation” <<http://www.accommodements.qc.ca>>.

⁷“Mandate” <<http://www.accommodements.qc.ca>>.

⁸Excerpt from Quebec Government Order in Council Concerning the Establishment of the Consultation Commission on Accommodation Practices Related to Cultural Differences” <<http://www.accommodements.qc.ca/commission/decret-en.pdf>>.

⁹“Scrap the Live-in Caregiver Program and give landed status to caregivers coming to Canada.” Submission to the Parliamentary Standing Committee on Citizenship and Immigration by the National Alliance of Philippine Women in Canada (NAPWC). Submitted October 19, 2006.

¹⁰“Another Look at the Live-in-Caregivers Program.” An Analysis of an Action Research Survey Conducted by PINAY, the Quebec Filipino Women’s Association With The Centre for Applied Family Studies. Jacqueline Oxman-Martinez, Jill Hanley, Leslie Cheung.

¹¹National Alliance of Philippine Women in Canada.

¹²National Alliance of Philippine Women in Canada

¹³“Neither the U.S. nor Jehadies and Taliban, Long Live the Struggle of Independent and Democratic Forces of Afghanistan!” RAWA’s statement on the seventh anniversary of the U.S. invasion of Afghanistan, October 7, 2008 <http://www.rawa.org/events/sevenyear_e.htm>.

¹⁴Building the Future: A Time for Reconciliation, Abridged Report,” Gérard Bouchard and Charles Taylor <<http://www.accommodements.qc.ca/documentation/rappports/rapport-final-abrege-en.pdf>> (5).