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Defining Secularism and Multiculturalism in Canada: The case of the Ontario Human Rights Commission

Like many Western liberal democracies, Canada is wrestling with the issue of the governance of religious diversity. Because Canada has formally adopted multiculturalism as law as well as in its constitution and its foundational charter of human rights and freedoms, it is committed to the protection of religious freedom as well as the promotion of religious diversity. The adoption of multiculturalism in the 1960s and 1970s went hand in hand with the secularization of the Canadian state. Just as the Canadian state officially distanced itself from the promotion of any particular ethnic culture, it distanced itself – although not entirely successfully --

from the idea that it should promote or protect a single religious tradition, i.e., Christianity, the religion of an overwhelming number of Canadians. However, many have argued that secularization, thought to have solved the problem of Christian privilege as well as religious intolerance and discrimination, has raised its own tensions between secularism and religious freedom and diversity. The re-emergence of religion in Canadian public policy debates since 2001 has left many scholars and policy-makers debating the relationship between secularism and multiculturalism. How can a secular state address traditional and new forms of religious intolerance and discrimination? To what extent can a multicultural liberal democracy tolerate illiberal beliefs and practices justified by

claims of religious freedom? How can the secular state balance, for example the right to gender equality with rights to religious freedom? I wish to address the relationship between secularism and multiculturalism in Canada by examining the attempt of the Ontario Human Rights Commission is updating its policy on “creed,” that is, its policy on the promotion of religious freedom and protection against discrimination based on religion. According to the OHRC, a number of Supreme Court cases, human rights tribunal decisions, policy directives and social changes have brought to light the evolution of Canada’s multicultural and multi-religious society. Moreover, since the 1990s, the size of non-Christian communities has increased dramatically and Christian communities have become more ethnically and racially diverse. These social and political changes have made the OHRC’s current policy (last updated in 1996) increasingly outdated. This paper focusses on the new challenges that the Ontario Commission has discerned in addressing the changing nature of religious intolerance and discrimination in Canada’s largest province. It will show how the

Commission attempts to address forms of religious intolerance and discrimination that are structural in nature and, therefore, largely unacknowledged in earlier policy statements. The Commission’s struggle to define a new policy is a case study in how Ontarians are responding creatively to the new religious diversity, secularism and multiculturalism