Social and Media Discourse in the Reasonable Accommodations Debate

MARYSE POTVIN
Université du Québec à Montréal (UQAM)

Abstract: This article summarizes the major findings from a research report written for the Bouchard-Taylor Commission on how the media handle reasonable accommodations and on opinions on this issue. The focus is on two types of social discourse: event-based handling by the media and the opinions expressed by editorialists, columnists, intellectuals and readers in Quebec's print media[i]. The analysis revealed devices used in the media and incidents of media exaggeration, as well as populist and racializing rhetorical devices in many journalists' and readers' opinions. This social discourse on the reasonable accommodations crisis shed light on ethnic relations, on how various groups in Quebec perceive one another and on the sensitivity associated with Francophones' recent ascension to majority status.

Introduction

From 2006 to 2008, Quebec was plagued by a crisis in "reasonable accommodations"—a uniquely Canadian legal concept that stemmed from Supreme Court rulings on indirect discrimination and human rights. In March 2006, the debate began to take shape in the media, where it was transformed into a crisis in January 2007. For many people, it was like being transported back [translation] "to pre-1977 Quebec, where French Canadians saw themselves as a homogenous nation and saw others as a constant threat to their identity."[1] On February 8, 2007, the Premier, who was in the initial stages of an election campaign, announced the Consultation Commission on Accommodation Practices Related to Cultural Differences (Bouchard-Taylor Commission) amid a media storm and racializing discourse[2].

Having written an expert report for the Bouchard-Taylor Commission on opinions on and the media's handling of reasonable accommodations,[3] I will summarize some general findings on two types of social discourse analysed: event-based media coverage and opinions expressed by editorialists, columnists, intellectuals and readers in Quebec's print media[4].

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i   Articles published in major daily newspapers in Quebec: La Presse, Le Devoir, Le Journal de Montréal, Le Soleil and The Gazette, from March 1, 2006 to April 30, 2007. We found a total of 1,839 texts: 1105 news articles, including 451 event-based articles, 263 editorials, columns and letters from intellectuals and 391 readers' letters, as well as 734 entries on popular blogs. We analysed the debate as a whole and specific reactions to about a dozen issues, including the kirpan ruling, the YMCA and "accommodating" sugar bushes.

1   Mc Andrew, M., 2007. "Pour un débat inclusif sur l'accommodement raisonnable," Éthique publique 9, 1, pp. 152–158.

2   Bouchard, Gérard and Taylor, Charles (Consultation Commission on Accommodation Practices Related to Cultural Differences). 2008. Building the Future. A Time for Reconciliation. Gouvernement du Québec, Éditeur officiel du Québec.

3   Potvin, Maryse et al., 2008. Les médias écrits et les accommodements raisonnables. L'invention d'un débat. Report to G. Bouchard and C. Taylor, Consultation Commission on Accommodation Practices Related to Cultural Differences. www.accommodements.qc.ca/documentation/rapports/rapport-8-potvin-maryse.pdf. This report was used as the basis for a book: POTVIN, Maryse, 2008. Crise des accommodements raisonnables. Une fiction médiatique ? Montréal: Athéna Éditions. See also: Potvin, M. et al., 2008. "Les opinions publiques à l'égard du jugement sur le port du kirpan à l'école dans la presse québécoise," in M. Mc Andrew et al. (eds.), L'accommodement raisonnable et la diversité religieuse à l'école publique. Normes et pratiques. Montréal: Fidès, pp. 241–270.

4   Articles published in Quebec's major daily newspapers: La Presse, Le Devoir, Le Journal de Montréal, Le Soleil and The Gazette, from March 1, 2006 to April 30, 2007. We found a total of 1,839 texts: 1,105 news

These two forms of discourse were analysed using different categories. For media coverage, we identified specific devices and practices: number of articles, length of coverage, most popular or typical headlines and leads, layout, sources, agenda setting, priming, agenda framing and types of framing. For opinions expressed, we identified the main themes and reactions (for, against, neutral) and then identified neoracist rhetorical devices used[5].

Racist rhetoric is based on the use of irreconcilable differences, which are the product of a power relationship, to justify subordinating others in order to legitimize dominance. The pillars of racism—differentiation and subordination—use socio-cognitive mechanisms[6], which are usually subconscious and emotional in nature (the sense that one's privileges, prestige, possessions, security and identity are at risk). These discursive devices act as levels of racism, which often band together to create a spiral effect: negative differentiation (Us-Them), subordinating Them, generalizing about an entire group, self-victimization, catastrophizing, demonizing Them, the urge to expel (go home) and political legitimization, which constitutes a higher level of racism[7].

Event-based media coverage

According to my analysis, the media played a central role in transforming the debate into a social crisis, using devices, framing and staging in order to propel reasonable accommodations onto the political agenda and to elevate anecdotal material to a social crisis. Using repeated surveys on the "racism of Quebeckers," daily mini-polls and "exclusive investigations," newspapers drew attention to an issue that was to be debated in the public arena.

Many journalists contributed to the confusion by grouping reasonable accommodations—which imply an obligation to make changes in a discriminatory situation—with voluntary arrangements or private agreements, which are not born of the violation of a fundamental freedom. Over 75% of the "reasonable accommodations" reported in the media between March 2006 and April 2007 were actually private agreements or random anecdotes that journalists blew out of all proportion.

Not only was media coverage disproportionate to the actual number of cases of accommodation, but many newspapers—in the name of remaining competitive—increased the number of incidents "revealed," thereby setting the stage for one-upmanship and media hype.

Various facts and minority requests[8] were singled out as signs of deviancy and anti-social or illegitimate behaviour or behaviour that does not conform to the norms of the majority (deviancy amplification spiral), thereby creating moral panic[9]. The angle, or frame, that journalists adopted, as well as the prominence

articles, including 451 event-based articles, 263 editorials, columns and letters from intellectuals and 391 readers' letters, as well as 734 entries on popular blogs. We analysed the debate as a whole and specific reactions to about a dozen issues, including the kirpan ruling, the YMCA and "accommodating" sugar bushes.

5   In an era of human rights, we talk of a more implicit, culturalist neoracism based on differentiation that appears more legitimate because of its unlawfulness and illegitimacy.

6   These mechanisms are socio-cognitive because they reference individual reasoning and political, ideological, historical, social, economic and cultural determinants in a specific context.

7   In previous empirical work, we developed an analysis grid to easily identify what we refer to as racializing rhetorical devices (particularly in the newspaper articles). See also: Potvin, M., 2000. "Some Racist 'Slips' About Quebec in English Canada between 1995 and 1998," Canadian Ethnic Studies, 32 (2), 2000, pp. 1–26; Potvin, M., 1999. "Les dérapages racistes à l'égard du Québec au Canada-anglais depuis 1995," Politique et Sociétés 18, 2, 1999, pp. 101–132.

8   Some anecdotes were presented as abusive requests when, in fact, the minorities in question had not made any request. This was the case for the so-called "order" from the Montréal police department and for the one from the Chief Electoral Officer regarding wearing the niqab when voting.

9   Cohen, Stanley, 1972. Folk Devils and Moral Panics. London: Mac Gibbon and Kee.

given to certain points of view, influenced the public's understanding of the issues. The media used two frames repeatedly: the legal frame and the drama-conflict based frame. The first one, which was used to deal with most facts, incorrectly likened private agreements to reasonable accommodations. Requests were often covered from the angle of privileges or abuses, rather than from the standpoint of equality rights or negotiated agreements. The drama-conflict based frame came into play in polarized interpretations, in the race for "new news"—real or imagined—and in the repeated use of photographs depicting the smallest religious minority communities (Orthodox Jews, Muslims who wear the niqab or the burka, etc.). Coverage that took the angle of polarization between minority groups and the majority gave the impression that certain minorities enjoyed privileges and were threatening common values, drawing readers (from the majority) into a victimizing interpretation of events.

For example, on five occasions the J*ournal de Montréal* presented various facts as "privileges" granted to Jews. The following article appeared on November 19, 2006: "CLSC Lavallois. Traitement de faveur pour un Juif" [Laval CLSC gives preferential treatment to a Jew] (p. 9). It tells how, on the previous day, a Jewish man jumped the queue at a health centre in order not to miss the Sabbath. On December 15, 2006, the "incident at the Ste-Thérèse de Blainville CLSC" made the headlines in the *Journal de Montréal* (p. 3) with: "Accommodements raisonnables. Privilèges spéciaux pour les juifs" [reasonable accommodations: special privileges for Jews]. The subhead was: "Les infirmières doivent *se plier* à leurs exigences pour prodiguer des soins aux patients de la communauté" [nurses must *give in* to their demands in order to provide care to patients in the community]. In the accounts of these incidents, the majority group is victimized, the demands made are extrapolated to the entire Jewish population, and members of the minority groups in question are rarely interviewed.

This debate became fodder and framework for the 2007 provincial election. Constantly questioned about the incidents, politicians helped artificially fuel the debate around what were often inaccuracies, providing opinions without verifying facts and not distinguishing between hearsay and actual accommodations. These incidents were then used to judge the politician's competence.

Moreover, the rise in popularity of the Action démocratique du Québec (ADQ) during the campaign was actually attributed to the populist stance ADQ leader Mario Dumont took in the debate. Purporting to speak on behalf of the majority and say what everyone was thinking, Mario Dumont legitimized the populist discourse in the political arena, constantly accusing his political opponents of being weak on this issue, taking a hard line himself and using shock phrases ("On ne peut pas défendre notre identité avec un genou à terre" [we cannot defend our identity on bended knee], *Journal de Montréal*, November 19, 2006: 5). On November 17, 2006, the headline in the *Journal de Montréal* read "Accommodements raisonnables. 'On glisse dans des abus de la Charte'" [reasonable accommodations: we're slipping into Charter abuses], with the subhead "Le chef de L'ADQ juge inquiétantes certaines *concessions faites aux minorités*" [ADQ leader says *concessions to minorities* are worrisome] (sic!). The lead into the article reinforces the point: "Les accommodements consentis aux minorités ethniques et religieuses dépassent les limites du bon sens, selon Mario Dumont" [accommodations granted to ethnic and religious minorities defy common sense according to Mario Dumont]. The article starts off with a quote from Mario Dumont that plays to the public's sense of victimization: "Pendant qu'un jeune sikh se promène avec son poignard à l'école, la majorité québécoise ne peut plus utiliser le mot Noël ..." [a young Sikh walks around school with a dagger, but the Québécois majority cannot use the word "Christmas" anymore]. The article then uses quotes such as: "Qu'une majorité de citoyens

défende les valeurs qui lui sont propres n'est ni une attitude raciste, ni une singularité dans le monde moderne" [it is not racist or unusual in the modern world for a majority of citizens to defend their values]. The article defines Quebec society as "generous," thereby reinforcing the idea that minorities receive "privileges" and that, in exchange, they should respect "our values." Mario Dumont is then quoted as saying that the police didn't kidnap anyone to force them to come to Quebec.

This kind of legitimization seems to have contributed to the widespread use of racializing discourse, which would not have seen the light of day one year earlier. Many readers who wrote in made liberal use of Dumont's expressions, such as "mettre ses culottes" [show some backbone], "genou à terre" [on bended knee] and "se plier aux exigences des minorities" [bending to minority demands]; these were then repeated in other event-based articles.

Opinions

The legal and political system and normative discourse were repeatedly called into question by a number of members of the public and journalists in the opinions that were expressed. The legal precedents for reasonable accommodations and the role of the Canadian and Quebec charters were presented as being one-sided and as constraining public institutions to "always" accept requests from minorities—essentially to grant them "privileges." Some individuals and elected municipal officials even invoked a "state of emergency"[10] and an "injustice" to the majority group to warrant calling on the governments to abolish the charters.

Explicit and implicit populist and (neo)racist discursive devices were used in half of the texts analysed. In a corpus of 654 editorials, columns, letters from intellectuals and readers' letters in the five newspapers, 14% of the editorials/columns and 52% of the letters from readers contained at least one of these devices[11]. Some of the discourse combined all these devices—from Us-Them (negative dichotomization, "they are coming here to impose this on us...") to generalizing about all immigrants and minorities ("they don't integrate," "they're fundamentalists") to subordination ("they're stuck in the Middle Ages), to self-victimization (loss of power and identity, "they have come to impose their traditions," "privileges," "on bended knee") to catastrophizing (state of emergency, it's going to get worse, conspiracy theory) and demonization (invasion, "they're strange, unable to assimilate democratic values, unpredictable, worrisome"), justifying the desire to expel Them ("go home") by invoking the political legitimacy lent to such attitudes by elected officials from the ADQ and from municipalities such as Hérouxville. Such discourse reached new heights in 2006-07, as though its widespread use in the media had legitimized intransigent positions.

In the discourse of editorialists, columnists and intellectuals, these devices were most often used in articles about Hassidic Jews. Negative dichotomization was used predominantly to oppose the values of the majority group (defined as "people" or "society") to those of the Hassidic community, particularly on the subject of gender equality. Subordination inferred that they had not adapted to modern lifestyles. Many people associated any request for accommodation with fundamentalism. This excerpt from a newspaper

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10   In January 2007, the municipal council of Hérouxville, a small town with 1,300 inhabitants, adopted a code of conduct aimed at potential immigrants, which forbid stoning, excision and the full veil. Written by André Drouin, a municipal councillor who garnered a great deal of media attention, the code of conduct provoked reactions around the world. On February 5, 2007, Drouin called on the Premier of Quebec to declare a state of emergency. Five neighbouring towns asked the federal and provincial governments to review the Canadian and Quebec charters of rights and freedoms.

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11   Opponents of accommodations did not all use racializing devices. For example, 79% of the 391 readers' letters were against accommodation, but only 202 letters (52% of the corpus) used racializing devices. For the detailed findings and numerous excerpts illustrating these devices, see Potvin, M. op. cit., 2008.

column illustrates the use of some of these devices:

> [Translation]
> Months ago, our political leaders—the leader of the Parti Québécois in particular—should have put a stop to the unreasonable demands of a few very vocal minorities. They had a historic duty to defend Quebec, as it exists everywhere, not only in the City of Montréal or in Westmount. All we got was subservience. But beyond these political squabbles, we are nevertheless brave people! We are racist and we don't hide it when others crowd in and mess things up ... the majority of new Quebeckers (74%) and old-stock Quebeckers (83%) are fed up with so-called "reasonable accommodations" ... The message to the political elites and government leaders is now clear: the majority doesn't want any more reasonable accommodations ..." (Michel Vastel, "Mario Dumont avait raison" [Mario Dumont was right], *Journal de Montréal*, January 20, 2007: 26.)

Most readers felt that they were being taken advantage of by minorities who were "abusing" the "weakness" of "Quebeckers" and by judges, politicians and institutions that granted "undue" privileges to "fundamentalist" minorities and made decisions that were counter to the "public will." A vociferous Charter opponent who also opposed the power of the judiciary introduced a double contradiction into the public discourse: by granting rights to individuals whose religious beliefs allegedly contravened individual rights and ran counter to the will of the majority, the Charter was actually permitting what it in fact prohibited.

The dominant perceptions of the Other in racializing discourse attest to a major Us–Them dichotomization. For readers, Them usually refers to immigrants and members of orthodox religions (Jews, Sikhs, Muslims), and they are often lumped into one group. These minorities are identified as

fundamentalists who are responsible for Quebec's many identity crises, which play themselves out in an unsettling international context. The rigid "precepts" espoused by these communities are often juxtaposed with the "freedom" the general population and its social movements fought hard to win. Distinctions are made between "good immigrants" who "want" to integrate into society (by becoming "like us") and "bad immigrants" who demand accommodations (thereby rejecting "common norms"). Those who want to continue living "as they did in their country" could never be one of Us.

The Charter is also perceived not as protecting rights (equality) as the core value of the collective identity, but as violating the rights of the majority group in order to empower minority groups. Such discourse inverts the values set out in the Charter in order to delegitimize and subordinate the Other. Respect for rights and freedoms gives way to the rejection of divergence and the demand for "loyalty" or social conformity that is presumably consensual. Equality is replaced by the conviction that favouritism exists for certain groups and that that in turn creates injustice for others. The "inclusive Us" is transformed into a desire for a homogeneous society. These opinions are founded on the conviction that an individual speaks on behalf of everyone and on a stereotypical—even mythical—perception of the accused.

Conclusion

The social discourse on reasonable accommodations shed light on ethnic relations, on how groups in Quebec perceive one another and on the sensitivity associated with Francophones' recent ascension to majority status. The debate also highlighted the gap between the perceptions of Quebeckers from Montréal and those from the regions and revealed how one segment of society misunderstands the realities of immigration and the mechanisms of immigration, integration and human rights. It provided an opportunity for

populist and neoracist discourse that often lies dormant on a subconscious level of public and journalistic opinion.

This debate also revealed a sort of backlash to legitimate, inclusive, egalitarian discourse in the social fabric of Quebec. It left the field open for racializing discourse that inverted the values enshrined in the charters and human rights legislation. The persistence of the Us-Them barriers became obvious, as did the feeling among some members of the public and elected officials that their identity was threatened. Statements made by the leader of the ADQ and slips by some municipal elected officials carried the controversy, which had developed amidst a media frenzy, into the political arena, where it reached crisis proportions and transcended many levels of racism in just a few weeks, thereby undermining social cohesion.

This crisis was not a sudden frustrated outburst aimed at religious minorities who were used as scapegoats. Rather, it was a symptom of the fragile nature of the national identity, which was shaken by the social and economic upheavals brought on by globalization. The crisis was also fed by the historical unease resulting from competition between Quebec and the rest of Canada (ROC) for the symbolic and linguistic allegiance of immigrants. This unease, which stems from the fragile nature of Francophones' majority status, found its voice in discourse that was vehemently opposed to the "charter," to Canadian multiculturalism and to the "power of the judiciary." This fragility took the form of public fear: fear of losing recent advances in the struggle for modernity in Quebec (gender equality, francization, etc.), fear that this Francophone majority might not be able to model itself as an inclusive Us and integrate immigrants, fear of being labelled "racist" by the ROC[12] and the rest

of the world—in short, fear about the success or failure of Quebec's "integration model." These fears were expressed in discourse in favour of "abolishing" the charter and in allegations that the majority group was being victimized and threatened by "religious fundamentalists" who want to "impose their laws" and who receive "privileges" and yet continue to make more and more "excessive demands."

However, according to many in the fields of education and social services, reasonable accommodations are generally managed well in society on a day-to-day basis. There was a huge gap between perception and reality in this debate, which highlights the need to educate the public on human rights, "diversity," citizenship, critical media analysis, accommodation management and conflict management.

About the Author

Maryse Potvin is a political scientist and sociologist and a professor of education at the Université du Québec à Montréal (UQAM). She coordinates the Discrimination and Insertion research domain at the Centre d'études ethniques des universités montréalaises (CEETUM). She is also a researcher at the Quebec Metropolis Centre. Her work focuses on ethnic relations, social and educational inequalities, racism and discrimination, second-generation youth and youth of immigrant origin, civic and antiracist education, critical media analysis and racist and populist rhetoric. She has many publications to her name, including *Crise des accommodements raisonnables. Une fiction médiatique ?* (Athéna, 2008) and *La 2e génération issue de l'immigration. Une comparaison France-Québec* (Potvin, M., Eid, P. and Venel, N. eds., Athéna, 2007), as well as numerous expert reports, including "*La mesure des discriminations au Canada*" for the European Commission (2004).

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12   Accusations of racism against Quebec (and sovereignty) from the rest of Canada have a long history. They are perceived as a denigration of the national character of Quebec Francophones by the dominant group in Canada (Anglophones) and as an attempt to reduce Francophones to

the status of a "minority, just like the others".