

How it Seams:
Religious Dress, Multiculturalism, and
Identity Performance in Canadian Society,
1910-2017

by

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A thesis

presented to the University of Waterloo

in fulfilment of the

thesis requirement for the degree of

Doctor of Philosophy

in

Religious Studies

Waterloo, Ontario, Canada, 2018

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Abstract

Canadians generally consider themselves forerunners of acceptance who deem diversity a core value, yet this identity coexists alongside fierce national debates over reasonable accommodation of minority religious practices in public spaces. In this context religious minorities use dress to communicate their needs and goals to the larger society, in the process expanding the parameters of human rights for all Canadians. This challenges the false narrative that Canada is a religiously neutral nation without its mainstream society's own fervently held beliefs and practices, and of religious minorities as an inherently threatening force to these inviolable values. In order to understand how religious minorities engage dress in highly symbolic ways, this dissertation explores the ways everyday clothes become objects of sacred performance and sites of fierce public contestation in the process of identity creation, maintenance, and re-creation.

This study uses three case studies of minorities and religious headcoverings in Canada over the course of a century to understand how dress functions as a means of communication within and between religious minority communities and the larger Canadian society. The first is the debate over Swiss Mennonite women's headcoverings in Ontario during and immediately after World War I. The second is Baltej Singh Dhillon's experiences as Canada's first turban-wearing Sikh RCMP officer in 1989-90. The third is Zunera Ishaq's Supreme Court case to wear her Muslim niqab during a citizenship ceremony and its effects on the federal election of 2015. These case studies provide examples of potential outcomes for these groups. In the first, the group achieves its ultimate goal but the larger society largely misses its message. In the second, Dhillon achieves his goal while successfully communicating his message to the government. In the third, Ishaq achieves her goal, but the larger society does not fully understand her message and the matter remains hotly debated.

This dissertation considers the discursive interactions of clothes, colonialism, human rights, and religion, bringing together a diverse collection of theories and methods from several disciplines, demonstrating that those who "cling" to these parochial ways are far from incompatible with Canadian ideals.

Acknowledgments

This dissertation is the culmination of over a decade of study, research, and experience. It has genuinely taken a community to get me to this point, and I cannot adequately express my deep gratitude to all who have been part of this journey.

I would like to thank the Sisters of St. Joseph and the University of Waterloo's Provost Doctoral Award for Women for their funding contributions to this project. I would also like to thank the Mennonite Archives of Ontario, particularly archivist Laureen Harder-Gissing for her extensive help through many stages of this project, and the Sikh National Archives of Canada for their assistance on my second case study. A special thanks to Rebecca Steinman for making sense of and editing my footnotes and bibliography.

I must sincerely thank my dissertation supervisor, Jeff Wilson, who initially encouraged me to pursue this degree, whose selfless time and care ensured progress and quality, and whose endless support gave me the courage to keep going when it seemed impossible. Much has been written, and much has yet to be done, on ensuring graduate school is equally accessible for women with young children. I am extremely fortunate to have had a supervisor who embodies these values of gender equity. Without him, I would have left graduate school.

Many thanks also to my internal committee members, David Seljak and Alicia Batten, whose conversation, direction, and insights offered immeasurable contributions to this project and my time in this program. You were both incredibly generous with your time, and I am truly grateful. I have been unbelievably fortunate to work with incredible faculty who showed me the difference between wisdom and knowledge, and who are both wonderful mentors and scholars at the top of their game: Jim Pankratz, Jeremy Bergen, Derek Suderman, Tom Yoder-Neufeld, Troy Osborne, Marianne Mellinger, James Walker, Doug Cowan, Doris Jakobsh, and Mavis Fenn.

A special heartfelt thank you to three inspirational mentors, women who regularly went far above and beyond their role as faculty to support and encourage me in any way they could throughout graduate school: Marlene Epp, Heather MacDougall, and Susan Schultz Huxman.

I would also like to thank the tremendous faculty assistants and librarians who did me more favours, answered more questions, and helped me in uncountable ways over the years (proving that wizards are real): Mandy Macfie, Ruth Steinman, Birgit Moscinski, and Fiona McAlister.

Many thanks to those on this doctoral trip with me. To Brooke Brassard, my sister-wife in the program and in life. To Allison Murray, who created writing caves with me through two degrees and was my general go-to on writing "gooder" or gender theory. To Lizzie Rigotti, who taught me to make the world's best guacamole in the midst of comps preparation. To Rachel Brown, who I knew long before the doctoral program, and who, being always two steps ahead of me, was an inspiration and a guide. To my other friends in grad school, Ryan Anningson, Zabeen Khamisa, Pam Andrews, Christopher Dennis, Sahir Dewji, Scott Wall, Samiksa Love, Christina Edmiston, Vincent Kong, Jared Both, and all the rest who are (or were) on this road. Thanks for sharing the pilgrimage.

I moved into residence as a first year and I left with lifelong friends. Sean, Melinda, Ryan, and Diana, you have been there through it *all*. You've supported me, loved me, and laughed with (at?) me the whole way. For my strong-mama-gurus, Emily Tell and Antoinette Duplessis. You both showed me how to do the whole single mom thing, fed me, and encouraged me.

Thanks to so many friends, who showed me the importance of community in so many ways: Ed Janzen, Noha Abdul Ghaffar, Natalia Grichina, Gary Bruce, Becky Courtney, Cheong Ng, Noha Al Nadhi, Hilde Sproat, Amanda Brunk, Verena Enns, Manar Baksh, Hatem Sindi, Scotty Kipfer, Mark Weber, Sherri Wideman, Marcus and Lisa Shantz, Scott and Mary Brubacher-Zehr, Andy and Athena Hagen, Kathryn Loveday, Melinda Newell, Carolyn Allwright, and Cindy Brick.

Much love and many thanks to my family, the many wonderful individuals who make up the circle of love and support that is the Crecelius clan. To my Fisher family, Pat, Barry, Katie, Laura, Kaidan, and Simon, for your ceaseless love. To my sister-in-law, Victoria, for your cuddles and conversation. To my brother, Douglas, who constantly flicks the lens through which I view the world to ensure I critically examine my beliefs (or just to torment his little sister, jury's still out). For my mom, Erin, who models every day what a strong, wise, and loving woman looks like. For my dad, Phil, who taught me that I had a voice, and that I should use it. My family has always been the brick wall behind my back.

For my beloved husband Michael, who found a single mom in the middle of grad school and thought, "Sure! This looks like fun!" You came into our ridiculous world, you rolled up your sleeves, and you said, "Let's do this." And I have. Thanks to you. I look forward to sharing a long (gainfully-employed) life with you.

But most of all to my two daughters, Lily and Gwenyth. They have been there from the beginning, "attending" undergrad classes with me in utero, nursing in the halls between classes, playing with their toys on a blanket on the floor in a Master's seminar (thank you Tom Yoder-Neufeld!), napping in the faculty lounge, helping me study for my comprehensive exams reading their own stacks of books beside me, trying to explain to befuddled classmates what "PhD" means and why your mom is *still* in school, and always asking piercing questions. This dissertation is for you.

Lily and Gwen, I look at you and I know why I study what I study.

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INTRODUCTION

*“To those fleeing persecution, terror & war,
Canadians will welcome you, regardless of your faith.
Diversity is our strength.”
- PM Justin Trudeau*

On July 1, 2017, eager Canadians — many of whom had traveled long ways from across the country — stood in the pouring rain for hours in lines that stretched around several city blocks, waiting to join the 25, 000 people gathered on Parliament Hill to celebrate Canada’s 150th birthday. Once they made it into the festivities, children jumped in puddles, crowds sang along with Leonard Cohen’s *Hallelujah*, and all ages ate beaver tails, a doughnut-like treat. The rains cleared in time for Prime Minister Justin Trudeau to take the stage at midday. He was joined on the podium by his wife Sophie Gregoire, Prince Charles, Camilla, Duchess of Cornwall, Governor General David Johnston, and Dr. Sharon Johnston, who each chose outfits appropriate for the occasion.

Sophie Grégoire has been vocal and intentional in her support of Canadian designers. Always one to “buy local,” when her husband became Prime Minister, Gregoire decided, “I should be wearing Canadian!”¹ For her first outfit of Canada Day she wore a solid white jumpsuit by Toronto designer Tanya Taylor with a simple red and white brooch (for the evening she changed into a complimentary red floor-length dress with Ottawa Indigenous designer Deliaestelle Designs earrings). Sharon Johnston echoed Grégoire’s patriotic colour palette with a knee length red and white large striped dress, accented with a red maple leaf brooch, an elaborate necklace with a cluster of maple leaves, red and white high heels, and an elegant red fascinator

¹ Sophie Grégoire, quoted in Chloe Tejada, “Sophie Grégoire is on a Mission to Promote Canadian Fashion.” In *Huffpost*, June 28, 2017. http://www.huffingtonpost.ca/2017/06/28/sophie-gregoire-trudeau-style_a_23006008/

with white feathers. The men wore simple well-tailored suits, but Trudeau added a stylish red and white check kerchief in his breast pocket and a dark red tie (Fig. 1).

At noon, Trudeau offered this reflection on Canada's sesquicentennial:

In the 150 years since [Confederation] we have ... enshrined our dearest values — equality, diversity, freedom of the individual, and two official languages — in the *Charter of Rights and Freedoms*. Ours is a land of Indigenous Peoples, settlers, and newcomers, and our diversity has always been at the core of our success. ... We express ourselves in French, English, and hundreds of other languages. Today, as has been the case for centuries, we are strong not in spite of our differences, but because of them.²

Before singing, world famous singer-songwriter Bono joked that he, as an Irishman, was responsible for all the rain, then made it clear why he and his band were there: "When others build walls, you open doors; when others divide, your arms are open wide; where you lead, others follow. That's the real reason The Edge and myself are here today."³ Prince Charles echoed these sentiments in his speech: "We should be clear and proud that we are celebrating a country that others look to for example. An example of fairness and inclusion ... Around the world, Canada is recognized as a champion of human rights ... and as a powerful and consistent example of diversity and the power of inclusion."⁴ This sentiment was not merely an official talking point, but was reflected in the everyday people in the crowd. Senior citizen and military

² "Statement by the Prime Minister of Canada," Justin Trudeau, Prime Minister of Canada. July 1, 2017. <http://pm.gc.ca/eng/news/2017/07/01/statement-prime-minister-canada-day>.

³ Bono, quoted in Daniel Leblanc, "Trudeau, Bono, and a Crowd of Thousands Celebrate Canada 150 in Soggy Ottawa," *The Globe and Mail* (Toronto, ON), July 1, 2017, <https://www.theglobeandmail.com/news/national/rain-pelts-parliament-hill-as-crowds-gather-for-canada-150-bash/article35529841/>.

⁴ Charles, Prince of Wales, quoted in Daniel Leblanc, "Trudeau, Bono, and a Crowd of Thousands Celebrate Canada 150 in Soggy Ottawa," *The Globe and Mail* (Toronto, ON), July 1, 2017, <https://www.theglobeandmail.com/news/national/rain-pelts-parliament-hill-as-crowds-gather-for-canada-150-bash/article35529841/>.

veteran Ray Paquette told the *Ottawa Citizen*, “Canada, to me, is the greatest country in the world. With its diversity, everyone is welcome.”⁵

Where did this identity come from? Why do so many Canadians consider themselves — and other countries consider them — harbingers of acceptance who deem diversity a core Canadian value? Furthermore, how did diversity — a statistical reality — come to be understood and utilized as a value? This progressive identity coexists alongside fierce national debates over reasonable accommodation of minority religious practices in public spaces, such as the male student at York University who triggered a fire storm when he stated a preference for a male-only focus group in his online course.⁶ In this context religious minorities use dress to communicate their needs and goals to the larger Canadian society, in the process pushing the scope and advancing the parameters of human rights for all Canadians. So doing challenges the common but false narrative of Canada as a religiously neutral nation without many Canadians’ own equally fervently held belief systems and venerated practices, and of religious minorities as an inherently threatening force to inviolable Canadian values. Indeed, these individuals and communities root their endeavours in these very Canadian values they are accused of threatening.

In order to understand how religious minorities engage and put to use clothes in highly symbolic and sacred ways, this dissertation explores the ways everyday items and simple swathes of fabric become objects of sacred performance and sites of fierce public contestation. They are display for God, for community, and for self in the process of identity creation, maintenance, and

⁵ Ray Paquette, quoted in Blair Crawford, “Canada 150: Partiers Don’t Let a Little (or a Lot) of Rain Ruin Their Day,” *Ottawa Citizen* (Ottawa, ON), July 1, 2017, <http://ottawacitizen.com/news/local-news/canada-150-partiers-dont-let-a-little-or-a-lot-of-rain-ruin-their-day>.

⁶ Laura Morlock, “Religion Is a Human Right: This Is a Matter of Reconciling Competing Rights,” *University Affairs*, January 22, 2014, <http://www.universityaffairs.ca/opinion/in-my-opinion/religion-is-a-human-right/>.

re-creation. In the hands of determined individuals, these items of dress can then become vehicles for legislative and cultural revisioning. With dress as an embodied site of contestation, religious minorities are crucial actors in the evolution of many Canadians' sense of self.

This dissertation uses three case studies of minorities and religious headcoverings in Canada over the course of a century in order to understand how dress functions as a means of communication within and between religious minority communities and the larger Canadian society. The first is the story of Mennonite women and bonnets in Ontario during and immediately after World War I. In this case, as Mennonite women moved from farm to domestic and factory labour in cities they began trading their particular bonnets for simple hats (the prayer cap remained under the hat). Meanwhile, with the dawn of World War I Mennonite men were at risk of conscription, despite the church's military exemption promised by the Canadian government in 1873 to attract Russian Mennonite farmers.⁷ As a right granted to a group, the exercise of that right depended on a strong Mennonite identity. While not directly affecting the matter of conscription, the bonnet was central to concurrent internal community debates over what it meant to be a member of the church. Due to the nature of rights in Canada in the early 20th century, markers of membership became vitally important to an individuals' access to the rights of the community. For young men, this centred around baptism, while women were asked to maintain the single most visible symbol of Mennonite identity boundaries with the traditional bonnet. Though given their communal approach to identity and agency they would not have viewed it in this way, Mennonite women resisted this focus on the bonnet as a test of

⁷ Regehr, Ted D. and Richard D. Thiessen. (October 2011). Canada. *Global Anabaptist Mennonite Encyclopedia Online*. <http://gameo.org/index.php?title=Canada&oldid=144048>.

membership (particularly when the plain dress for men was not enforced), affirming their rights within their community itself to practice their religion to the best of their understanding.

The second case is Baltej Singh Dhillon's experiences applying to the Royal Canadian Mounted Police as a turban-wearing Sikh Canadian in 1989 and 1990 British Columbia. Dhillon's case quickly became a matter of fierce national debate. Many Canadians believed it represented "them" trying to change "us" in the most egregious manner by "messing with" the venerated Mountie uniform. While thousands became involved in overtly racist and xenophobic campaigns to stop Dhillon, the majority of opponents made reasonable sounding arguments about how it was not the presence of minorities that was the problem, it was simply that "Canadians cherished the uniform" and it should not be altered, revealing a venerated allegiance to a secular form of dress entrenched in Canadiana.

In the third case study, Zunera Ishaq, a Muslim Pakistani immigrant, successfully argued to the Supreme Court that she should have the right to wear her *niqab* (a face veil) during her citizenship ceremony. The Conservative federal government, under Prime Minister Stephen Harper, had set the restriction in place and repeatedly appealed the courts' decisions. The case became a bitter issue in the 2015 federal election, becoming a campaign issue for the Conservatives while ultimately costing the New Democratic Party, which supported Ishaq, a devastating number of seats in the province of Quebec. Conservatives, however, overplayed their "scary immigrant" hand, misjudging most Canadians' sense of propriety, and in the end Liberal leader Justin Trudeau became Prime Minister. Trudeau also supported Ishaq, but did not experience the same fallout as the NDP leader Tom Mulcair.

Clothing is a primary contact point between the self and the world. Fashion is a message, it communicates who you are and who you want to be (or alternatively, how you are seen, and how you want to be seen). It is an external performance of internal beliefs and values. Religion is rooted in the body and its sensual relations with the world.⁸ Outside of religious studies, many scholars are dismissive of the role of religion in shaping individuals and societies. However, while these fields minimize religion, many (particularly history and anthropology) recognize the importance of material culture studies in a way religious studies is only beginning to. Many scholars have been slow to appreciate the significance of materiality, notably dress, in the intersection of religiosity and secularity. Despite religion's large role in dress choice (including in supposedly secular situations), scholars consistently overlook its significance, focusing instead on matters of race, ethnicity, and civil liberties. Dress does more than simply point to these "larger truths." It provides insights into practice and belief that are inaccessible through other means. In these human rights cases it is itself the site of contestation. Minority bodies become the battleground for competing discourses and this analysis demonstrates that the concepts of acceptable dress are neither shared nor intuitive.

Outsiders look at a community and can make assumptions about how that group functions or the roles of individuals within it. Conversely, insiders from that community do not always understand how outsiders view them, or how they receive the messages the group is sending. People on both sides critique "others" for situations that play out in their own community as well, such as male dominance and violence. Mennonites, for example, believed that headcoverings protected their women from sexual assault in "the world" (outside their community). Likewise, many Canadians focus on the niqab as representing inequality and

⁸ S. Brent Plate, *A History of Religion in 5 1/2 Objects* (Boston: Beacon Press, 2014), 7.

violence against women while not recognizing the widespread reality of gender-based discrimination and suffering in their own midst.

In each of these case studies there are recurrent themes of the need to protect women and idealized masculinity. As a pacifist community, idealized masculinity looks different in the Mennonite world than in mainstream society, but it retains patterns of protector and provider. Men were expected to be gentle yet commanding.⁹ Meanwhile, Dhillon's story is steeped in glorified concepts of masculinity as warrior, defender, and paragon of justice. This is true for both the culture surrounding the RCMP and within Sikhism. Meanwhile, Ishaq shows how niqabi women are generally pitied for being oppressed and overly submissive while simultaneously being criticized for being defiant and obstreperous. In all of these examples the actors were both subjected and playing to gendered scripts.

Judith Butler wrote her groundbreaking work, *Gender Trouble*, in part because, "It seemed to me, and continues to seem, that feminism ought to be careful not to idealize certain expressions of gender that, in turn, produce new forms of hierarchy and exclusion."¹⁰ While it is not the direction Butler is looking, this is what we see with culturally normative ideas of gender expression in these case studies. Butler, "... sought to undermine any and all efforts to wield a discourse of truth to delegitimize minority gendered and sexual practices."¹¹ While Butler is discussing gender spectrums and sexualities here, it is equally true of minority religious and dress practices. Like Butler I acknowledge that this does not mean, "... that all minority practices

⁹ It is somewhat difficult to discuss the Mennonite community in this context, as the case study is a historic one but the Mennonite church in Ontario is very much alive and active in the current context. As a result, community standards were naturally different a century ago. However, each of the tenets discussed in this dissertation, including the views on headcoverings and the roles for men and women, exist in vibrant 21st century Mennonite communities. Other than pacifism and adult baptism, though, they are not the views of the majority. This presents challenges for grammatical choice in writing about themes.

¹⁰ Judith Butler, *Gender Trouble* (London: Routledge, 2006), viii.

¹¹ Butler, viii.

are to be condoned or celebrated,” but that, “... we ought to be able to think them before we come to any kind of conclusions about them.”¹² She was concerned about, “... the ways that the panic in the face of such practices rendered them unthinkable.”¹³ Cultural hierarchies of religious expression and practice lead to similar alarm at non-normative minority dress in public spaces.

Religious minorities have often strategically subsumed religion under “race/ethnicity” in order to participate in identity politics in a supposedly secular arena. Since the 1960s, academic and public policy concerns in Canada have given the majority of their attention to race and ethnicity, while religion has generally been understood as a private matter that does not belong in the public sphere.¹⁴ Therefore, when a religious minority community or individual seeks to participate in this arena with overt religious presentation it challenges this Canadian cultural norm of religion belonging in the private sphere. At times minorities, such as with the Mennonites in this study, use their religious dress to communicate their self-avowed differences. It is worth noting that despite their desire to be separate, and to utilize their dress to do so, of all these case studies it is the Mennonite dress with which Canadians are least concerned. This demonstrates that human rights and religious rights are often highly racialized; and such rights are rarely contested when the state, the public, and the minority share the same religious and racial identities.¹⁵

More often than using their dress to separate themselves, however, individuals from religious minorities are focused on their immediate goal — serving the country as a police officer, or gaining Canadian citizenship — and consider their religious dress incidental and

¹² Butler, *Gender Trouble*, viii.

¹³ Butler, viii.

¹⁴ David Seljak, “Post-secularism, Multiculturalism, Human Rights, and Religion in Ontario,” in *Studies in Religion* 45 no. 4 (2016): 542-565.

¹⁵ Marlene Epp, personal correspondence with the author. 13 March, 2018.

insignificant. It is the larger society that can focus on their embodied “otherness.” In reality, these minorities are not entering a religiously neutral site. Indeed, the very idea of secular and sacred is a direct derivative of Christian thought that does not translate to many other faith traditions. The United Church may have lost its historic influence in parliament, and Canada may no longer be a “Christian nation,” but institutional Christianity has left a significant wake, including the way most Canadians dress and what attire is generally considered appropriate in public.

The late 1960s and early ‘70s saw an intentional shift in Canadian society toward a “religiously neutral” and “multiculturally inclusive” self-perception that played a significant role in a new national identity.¹⁶ Many Canadians continue to believe that “by redefining the social order according to ... models of secularism, multiculturalism, and human rights,” Canadians have resolved the issue of religious freedom.¹⁷ Prime Minister Pierre Trudeau promoted cultural retention in the belief that those who have confidence in their own identity form the base of a society centred around “fair play for all.”¹⁸ The Liberal government and its social partners intended for such neutrality and inclusiveness to create a welcoming space for religious minorities, and while this approach paved the way for Baltej Singh Dhillon to become a Mountie in a turban and beard, it also made faithfulness to overt religious practice in public — most notably in dress — socially uncomfortable.

Conversely, the Mennonite debate occurs before this national narrative of religious neutrality and inclusivity. This case demonstrates the importance of not imposing a 21st century

¹⁶ See Gary Miedema, *For Canada's Sake: Public Religion, Centennial Celebrations, and the Re-Making of Canada in the 1960s* (Montreal: McGill University Press, 2005).

¹⁷ Seljak, “Post-secularism, Multiculturalism,” 542-565.

¹⁸ Paul Bramadat in John Biles and Humera Ibrahim, “Religion and Public Policy: Immigration, Citizenship, and Multiculturalism -- Guess Who's Coming to Dinner,” in *Religion and Ethnicity in Canada*, Paul Bramadat and David Seljak eds. (Toronto: University of Toronto Press, 2005), 163.

understanding of “human rights” on an era when that was not yet part of common parlance. Rooted in British Common Law, rights in Canada were guaranteed through court cases, precedence, and tradition, rather than from a declaration or an appeal to reason (as they are in the American system, and would be later in Canada). Over the past century rights discourse has shifted from an understanding of group rights to individual rights. The Mennonite case in chapter three demonstrates how significantly rights discourse in Canada has changed in the past century, as the nation stepped further away from a conservative British style of assured rights to a proclamatory declaration in the *Charter of Rights and Freedoms*.¹⁹

For the individuals in these case studies, religious dress functions as knowing *how to do* their religion in a way that puts their faith in conversation with their identities as Canadians. They actively and intentionally create an outward appearance that publicly declares their membership in a specific community, at times challenging that very community to modify its practices, as in the case of the Mennonite bonnet. Their participation in public life was a manifestation of their religious belief. Religion inspired and justified their desire to engage in Canadian society, and to advocate for their right to do so with their identities intact.²⁰ This is true even of the Mennonites, who preferred *not* to engage in public life and to remain separate. When their conscientious objector status came into question it was their religious beliefs that motivated them to push to retain it and prompted them to step outside of their communities to petition

¹⁹ For more on the evolution of human rights in Canada’s history, see: James W. St. G. Walker, “Race,” *Rights and the Law in the Supreme Court of Canada* (Toronto: The Osgoode Society for Canadian Legal History, 1997); Rosalind English and Philip Havers, eds. *An Introduction to Human Rights and the Common Law* (London: Bloomsbury Publ, 2000); Christopher P. M. Waters, ed. *British and Canadian Perspectives on International Law* (Leiden: Brill, 2006); Michael Tugendat, *Liberty Intact: Human Rights in English Law* (Oxford: Oxford University Press, 2017); Dominique Clément, *Human Rights in Canada: A History* (Waterloo, ON: Wilfrid Laurier University Press, 2016); and Janet Miron, ed. *A History of Human Rights in Canada: Essential Issues* (Toronto: Canadian Scholars Press, 2009).

²⁰ Mary Kinnear, “Religion and the Shaping of ‘Public Woman’: A Post-Suffrage Case Study,” *Religion and Public Life in Canada: Historical and Comparative Perspectives*, ed. Marguerite Van Die (Toronto: University of Toronto Press, 2001), 196.

government. Mennonites are in a particular position on the margins of mainstream religion. Though they are Christian, their distinctive beliefs on non-violence, adult baptism, community boundaries, and plain dress have kept them (largely intentionally) on the outskirts of established Christianity. Though they benefit from some of the effects of Christian hegemony, they demonstrate the “limitations of categories that rely on the bifurcated schema of minority/majority religious group[s].”²¹

Minorities both receive accommodations and are denied, but it is the way in which Canadians reach decisions that is most revealing.²² This research is not an attempt to arrive at some fabled “ultimate truth” about what constitutes the illusive Canadian identity (as though that is or could be a singular characteristic), or how religious minorities fashion a place for themselves in this larger question (as if “religious minorities” were ever one monolithic entity). Rather, it is the way certain Canadians take disparate pieces of belief and knowledge and create versions of the facts that is most significant for this dissertation. Focusing on the tensions within and between such narratives and their embodied selves reveals the inconsistencies and holes in their logic. Therefore, it is important to pay attention to the discursive and material production, and its attendant opposition, when deliberating over religious freedom and its limitations.²³ This research is not limited in its implications to these three case studies alone, but should foster conversation and debate over where Canadians deem it appropriate to curtail freedom of religious practice. How do Canadians enjoy constitutionally guaranteed freedom of religion while balancing that right in a diverse society? Where is it appropriate to set the boundaries and, equally importantly, how is that decision reached?²⁴

²¹ Lori G. Beaman, *Defining Harm* (Vancouver: UBC Press, 2008), 11.

²² Beaman, 2.

²³ Beaman, 2-3.

²⁴ Beaman, x.

In such discussions it is important to remember that minority bodies are sites of agency, not merely submissive or passive receptacles of social messaging. The people in these case studies sought to define themselves in the national narrative on their own terms. When Southern Ontario Mennonite women in the 1910s and '20s resisted their conference's injunctions to maintain the traditional bonnet they were also, in part, resisting the practice of women bearing the brunt of visible non-conformity. The bonnets were impractical in their new economic roles as factory workers and domestics, and in their opinion theologically unnecessary. When the women refused to make the change on threat of church discipline it resulted in a schism and founding of a new congregation where their headcovering choices were supported. The success of these women in recreating standards of acceptable plain dress reveals them to be active agents of change.²⁵

This dissertation therefore uses agency as a crucial component in bringing narratives and materiality together. This allows for a deeper understanding of how minorities and mainstream cultures intersect and engage. Such intercommunicative encounters negate any simplistic binaries.²⁶ These case studies are shaped by gendered discourses, national narratives, and human agency. By applying what we learn in these stories we can use this research to understand other minority/majority situations. Religious diversity in Canada and debates over reasonable accommodation are only on the rise and there is no shortage of circumstances to which this analysis is germane. Examining Baltej Singh Dhillon's experiences joining the Royal Canadian Mounted Police as a turban-wearing Sikh man, or Zunera Ishaq's fight to wear her niqab during her citizenship ceremony, are prominent examples of this negotiation, but others include *Multani*

²⁵ Bonnie Reilly Schmidt, "Women in Red Serge: Female Police Bodies and the Disruption to the Image of the Royal Canadian Mounted Police," (PhD diss., Simon Fraser University, 2013), 14.

²⁶ Reilly Schmidt, "Women in Red Serge," 14.

v. Commission scolaire Marguerite-Bourgeoys in 2006 (which allowed a Sikh boy to wear his *kirpan* [ceremonial dagger] to school), *Syndicat Northcrest v. Anselm* in 2004 (a dispute over Orthodox Jews erecting *succahs* [temporary huts] on their balconies in Montreal, a case that set the important precedence of sincerely held religious belief), and a male York University student's request in 2014 to only work with male classmates for unspecified religious reasons.

The variety of societal responses to these realities of diversity reveal a great deal about how many Canadians feel about their own sense of self, which can be tenuous. Rooted in the work of Slavoj Žižek and Jacques Lacan, sociologist Kieran Keohane explores “Canada’s crises of identification and recognition” in the following way:²⁷

The social is constituted as an antagonistic forcefield of relationality between contingent articulations of identities around a basic paradox: that the integrity of identity is contingent upon the identification of elements which are not-the-identity; ie., a field of Otherness, outside of the identity, which stands in antithetical relation to the identity.²⁸

We create our identities through practice and symbols, but these are vulnerable to the differentness of others. There is constant dialogue in the encounter — the very interaction with difference alters identity. The one relies on the other for its coherence. Simultaneously, “old symbolic orders give way to new ones.”²⁹ Keohane considers, “Mounties’ hats and uniforms, oaths of allegiance to the Queen, and official-language barriers as anachronisms — examples of a colonial symbolic order that is transmogrifying into a ‘sumptuously rich, lusciously fruitful pastiche’ that flourishes in an emergent ‘intercultural’ rather than merely multicultural context.”³⁰

²⁷ Coombe, *The Cultural Life of Intellectual Properties*, 140.

²⁸ Kieran Keohane, quoted in Coombe, 140.

²⁹ Coombe, *The Cultural Life of Intellectual Properties*, 140.

³⁰ Kieran Keohane quoted in Coombe, 140.

The ways that the encounter of difference creates and recreates identity, and the way constructions of difference itself leads many to regard it as something to resolve — in the process entrenching power structures that these solutions may in fact be attempting to address — challenges, “... an imagined purity of identity that is embedded in solutions to the ‘problem’ of diversity.”³¹ Many celebrate the products of such exchange of cultural diversity (Rosemary J. Coombe points to “Thai tapas bars and Mennonite tortilla bakeries” as such examples). However, Keohane cautions that Canadians, “still lack sublime objects of identification to fill the cultural space of this new nation.”³² Therefore, debates over the national symbol of a Mountie’s hat become particularly divisive in a societal context where such symbols are in short supply.

It is worth noting here that the concept of and discussions around “diversity” itself can serve to entrench the ideas of “us” and “them,” as though there were one, static, and clear mythical “Canada.” The members of which are, quite naturally, Caucasians who wear toques, play hockey religiously, say “about” instead of “about,” and spend every summer weekend canoeing at the cottage. The “minorities” are generally brown-skinned immigrants who speak with a non-English accent, eat “exotic” foods, and practice religions other than Christianity. While these caricatures may be extreme, they reflect representative discourses evident in social data ranging from corporate Human Resources handbooks to journalists’ phrasing to academic discussions of “difference,” “pluralism,” or “diversity.” In approaching these case studies with the diversity handle, I do not wish to perpetuate othering of minority communities and individuals, or to lack nuance in the intricately complicated lived realities for people in every corner of this

³¹ Beaman, *Defining Harm* 12.

³² Coombe, *The Cultural Life of Intellectual Properties*, 140.

discussion. The Mennonite case, in fact, serves a valuable function in this matter, demonstrating the tenuous and situation-dependent nature of “insider” and “outsider.” It is, of course, impossible to account for every possible subtle distinction in matters of identity, particularly given the vast scope of diversity within Canada (from its geographic mass and regional differences to its demographic heterogeneity). Rather, this work seeks to contribute to a larger conversation around how Canadians choose to define themselves, what boundaries the majority maintains, and how they accomplish this.

Even with data collection it is important to remember that the narrative relationship is being shaped from two directions in an interview or these cases — either by the interviewer and the narrator, or “the majority” and “the minority.” Oral historian Susan Geiger describes this as “sharing the authority.”³³ Oral histories have the capacity to “redefine and redistribute intellectual authority.”³⁴ This works to ensure that the people in the case studies are not reduced to mere subjects or sources in the final research.³⁵ This provides a model for application with religious minorities in “real life” engagement. Considering the individuals in question as agentic bodies rather than passive subjects in a contentious matter fosters a relationship where power is shared, though admittedly not equally.

Such discussion should not be limited to these three case studies, but rather initiate conversation and debate about the space between rhetoric and reality when it comes to religious minorities, human rights, and a “religiously neutral” Canada. It also opens up an exploration of the themes of appropriate gender roles, the Canadian diversity model, and agency in the

³³ Susan Geiger, “What’s So Feminist About Women’s Oral History?” *Journal of Women’s History*, 2, no. 1, (1990), 175-76.

³⁴ Geiger, 75-76.

³⁵ Reilly Schmidt, “Women in Red Serge,” 23.

intersection of multiple discursive contexts.³⁶ These cases act as mirrors that reflect majority Canadian values and attitudes back in on themselves. They act as a map for the convergence of discourses such as gender equity, freedom of religious practice, and Canadian identity. This dissertation is not about Mennonites, Sikhs, or Muslims per se; nor is it about the individuals at the centre of these case studies. Rather, these examples provide an entry point for an examination of grand Canadian narratives of religious neutrality and the presumption of tension between human rights and overt displays of religion in public spaces. In this environment, devotion to a Stetson is honourable, but commitment to a niqab is extreme.

³⁶ Beaman, *Defining Harm*, 2.



Fig. 1. From left to right: Sharon Johnston; Prince Charles; Camilla, Duchess of Cornwall; Sophie Grégoire; and Justin Trudeau. Parliament Hill, July 1, 2017.
http://theworldbulletin.com/wpcontent/uploads/2017/07d2e028dbcea04f6ee75976bee96656f5898d19ae50a73995e534d923ab326d1a_3991132.jpg

CHAPTER TWO

Literature Review, Method, and Theory

Clothes, colonialism, human rights, and religion are intimately intertwined, though scholars often overlook this intersection. This dissertation brings together a wide and seemingly disparate collection of theories and methods from several different disciplines. While this research focuses on the Canadian context, these realities span both North and South America (indeed, globally) and across the centuries. In 1781, for example, *Visitador* (inspector) General José Antonio de Areche, in targeting an Incan rebellion, decreed that, “Indians are prohibited from wearing the dress of their ancestors, especially that of the nobility ... that which was used by the ancient Incas.”³⁷ To ensure his message was clear, Areche added, “And so these Indians withdraw their hatred of Spaniards and dress according to the laws, they must dress according to Spanish customs ...”³⁸ Areche understood that cloth held sacred meaning for the Incas and that banning Indigenous forms of dress struck a direct blow to the resistance. Andean communities believed that clothing, “literally embodied the essence of a person or thing.”³⁹ The Incas, for example, were unfazed when Spanish missionaries destroyed sacred statues because, “the essence of holiness resided in the cloth,” not in the statuary.⁴⁰

Though the Spanish colonial power was very successful in repressing and destroying much of Inca tradition and religion, the importance of dress persists today. In Abancay, Peru, ritual kin wash all the clothes of a deceased person the day after the funeral because they believe

³⁷ D. José Antonio de Areche, “Sentencia pronunciada en el Cuzco por el visitador D. José Antonio de Areche, contra José Gabriel Tupac-Amaru, su muger, hijos, y demas reos principales de la sublevación,” *Documentos para la historia de la sublevación de José Gabriel de Tupac-Amaru, Cacique de la Provincia de Tinta, en el Perú*, 1st Edition (Buenos-Aires: Imprenta del Estado, 1836 [1781]), 44-52, quoted in Lynn A. Meisch, “Christianity, Cloth and Dress in the Andes,” in *Undressing Religion: Commitment and Conversion from a Cross-Cultural Perspective*, ed. Linda B. Arthur (Oxford: Berg, 2000), 65-82.

³⁸ Areche quoted in Meisch, 73.

³⁹ Meisch, 68.

⁴⁰ Meisch, 70.

the clothing carries the *alma* (soul) or *esparto* (spirit) of the deceased and can contaminate the living. The best clothes are ceremonially arranged to reproduce the figure of the deceased and attendees embrace and speak to the clothes as though the person was present. When thousands of Peruvian civilians were “disappeared” during the civil war from 1980 to 1992, family members laid out clothing in lieu of a body. This was not simply a practical matter but a reflection of an ancient Inca belief transmuted through Roman Catholicism and Evangelical Protestantism. This sensibility is not limited to Latin Americans. The sadness we all feel when we encounter the clothes of a deceased loved one demonstrates the ways in which we experience clothes as what Joanne Entwistle calls alive and “fleshy.”⁴¹

This dissertation reflects the hybridization to which the field of religious studies is so well suited, and it urges religious studies scholars to make better use of recently adopted theories and methods that historians and anthropologists have long utilized. In a reflection on the ways her seminal work *Gender Trouble* has been so far reaching, Judith Butler explains how only in America could, “... so many disparate theories [be] joined together as if they formed some kind of unity.”⁴² She goes on to say that, “... the intellectual promiscuity of the text marks it precisely as American ...”⁴³ Borrowing Butler’s fitting phrase, the “intellectual promiscuity” of this dissertation is decidedly rooted in the very Canadian multicultural context it studies and critiques. As a millennial Canadian scholar I feel comfortable building my theory on an amalgamation of disparate frameworks. The groundwork laid by these scholars allows me to delve into the answers I seek.

⁴¹ Joanne Entwistle, “Fashion and the Fleshy Body: Dress as Embodied Practice,” in *Fashion Theory*, (2000) 4:3, P. 326.

⁴² Butler, *Gender Trouble*, x.

⁴³ Butler, x.

Religious practice has the power to destabilize privilege masquerading as moral and universal truths. It also has the opposite power, to enforce supposed universal truths (and often does). However, here I am referring to the way religious minority practice by its very existence calls into question established boundaries. To challenge such norms can cause some Canadians to lose their sense of place. For instance, while “everyone knows” that knives should never be permitted in schools, a Sikh boy challenged this assumption with his ceremonial dagger (*kirpan*).⁴⁴ I wish to understand the anxiety, anger, and downright terror some express at having perceived religious and secular norms challenged when non-normative practices of religious expression call into question assumed standards of public secularity.⁴⁵

Using the relationship between religious practice, social change, secularism, and gender narratives, this research examines how the individuals in these case studies negotiate dress and public space, revealing how these clothing practices and distinctive dress codes act as mediums of communication. Religious dress is intimately connected with concepts of self, the body, and community, as well as performance of privacy, space, and identity. As a discipline religious studies is only beginning to appreciate the depth which dress analysis can bring to its fields of inquiry. But where religious study lags behind in material culture studies, it leads in nuanced understandings of belief systems and what constitutes religion. This is what religious studies offers the field of material culture. The study of religion naturally rubs shoulders with human rights theory, and religion and dress are natural bedfellows, but if dress is, as historian Linda Baumgarten demonstrates, a language with which we communicate, and is, as Linda B. Arthur argues, an essential part of how humans encounter and engage with the world around them, does

⁴⁴ “Ban on Sikh kirpan overturned by Supreme Court,” *CBC News*, March 2, 2006, <http://www.cbc.ca/news/canada/ban-on-sikh-kirpan-overturned-by-supreme-court-1.618238>.

⁴⁵ Butler, *Gender Trouble*, xii. See Chapter Five for further data on societal presumptions.

it not then naturally follow that religious dress is an axis point for human rights articulation and advocacy?⁴⁶ This not only applies to the religious community a particular item represents, but for Canadians as a whole. In this chapter, I put the theories of human rights, reasonable accommodation, religion, and material culture through dress in conversation with each other.⁴⁷

Guiding this research, this dissertation asks the following questions: How do religious minorities (both consciously and unconsciously) use dress to communicate their needs and goals to the broader society? Does the dominant Canadian society receive these messages? How does the majority use the social location of dress to censure or accommodate minorities? Are there tensions between many Canadians' self-understanding as a "multicultural" and "diverse" society at the fore of human rights, and visible displays of religion in public spaces?

Like the topic itself this research utilizes a diverse and disparate set of methodologies. With my training in public history, oral histories and archives are my first language of research. The nature of this dissertation's research requires working to "get at" various and disparate people's views and feelings on matters that often operate at a subconscious level, and can vary within time and place, even for the same individuals. There are various polls from the last three decades that seek to answer what representative Canadians think about issues related to the reality of diversity (such as immigration, refugees, the *niqab*, etc.). I use several of these in the Zunera Ishaq case study, including surveys on attitudes toward religious minorities by the Quebec Human Rights Commission, the Canadian Broadcasting Corporation, and the Association of Canadian Studies. While useful for giving an initial image of what the

⁴⁶ Linda B. Arthur, *Religion, Dress and the Body* (Oxford: Berg, 1999).

⁴⁷ Gender roles and narratives are necessarily an important part of this study, and play an active role in each case study's analysis. However, given the limited scope of this chapter, and that religious studies and feminism is now a well-established field of inquiry, I reserve the gender analysis for the case studies.

representative group thinks, there are several limitations of such surveys, such as their timing for historical research (there is no poll on Canadian attitudes toward Mennonites in 1915, for instance), how the questions are framed, how the interviewee understands the questions, who gets polled, etc. (though these limitations are themselves revealing for research purposes). As a result, it is necessary to employ methods refined by gender historians to access beliefs and ideas that rarely openly present on the surface.

This includes analyzing primary sources such as diaries, letters, images, material culture, newspapers, and oral histories, in addition to using the *way* we think about a case and how we arrive at our findings (employing theory as method). The individuals involved in the Mennonite bonnet debate and the subsequent establishment of Kitchener's Stirling Avenue Mennonite Church are all deceased, but the Mennonite Archives of Ontario hold a wealth of resources on the region and time period. The correspondence and diaries of ministers and women in the local churches provided personal perspectives and reflections on the tensions. Urias K. Weber, the minister at the centre of the conflict at First Mennonite in Kitchener (renamed from Berlin in the midst of this debate) wrote extensive letters and personal reflections, including on the topic of the Stateser bonnet controversy. He regularly wrote seeking advice on the issue from friends, colleagues, and mentors, many of whom were in the United States and involved in the American push to reinforce the prescribed cut of bonnet. Susannah Cressman was a member at First who kept detailed diaries for decades, documenting the goings-on in her congregation and family, regularly noting the status of the bonnet debate and her feelings on the matter. The Investigating Committee convened by the Conference to investigate the matter kept detailed meeting minutes and interviews with the people involved decades later show that the results were painful and long-lasting. The Committee's handwritten notes are succinct and paraphrased, but reveal a great

deal about the ideological leanings of the Committee members, and of the individuals they interview. M.C. Cressman, a prominent figure in the controversy and a vocal opponent of U.K. Weber and his softer interpretation of women's headcoverings, testifies at length in these notes. While providing little usable data, Mennonite women's church organization meeting minutes supplied helpful reflections of the issues and activities with which the women at the heart of this dispute filled their time. In addition, the MAO includes several 20th century Swiss Mennonite bonnets and prayer caps, including a Stateser bonnet, and an example of a woman's cape dress from c. 1910, presenting valuable material culture analysis. Newspapers of the era were not particularly concerned with events in the Mennonite community, and certainly not internal divisions over women's dress, but there was some journalistic interest in the Parliamentary debate over who met the criteria of "Mennonite" during World War I, and the later immigration ban. Leading up to this ban, the MAO also includes letters veterans' organizations wrote to the federal government seeking that they "address" the "issue" of pacifist Mennonites.

Simultaneously to these events, the rise in the Christian fundamentalist movement in response to changing social mores produced ministerial tracts decrying the erosion of women's morals in the loss or changing of their headcoverings. These tracts provide useful insights into the social temperature of North American Christian churches, including and especially amongst the Mennonites in Ontario, and their counterparts to the south who took an active interest in how their Canadian brothers and sisters practiced the faith. While the participants in these events were long deceased by the time I began my research, Stirling Avenue Mennonite Church collected extensive oral histories of their founding members, and their founding members' children. These proved very useful in elaborating on the succinct individual notes and reflections in the early

diaries, notes, and minutes. Laureen Harder-Gissing's history of the founding of Stirling Avenue, *Risk and Endurance: A History of Stirling Avenue Mennonite Church* also proved invaluable.

In the case of Inspector Baltej Singh Dhillon, he was gracious and patient with my many questions and clarifications through two interviews and multiple email exchanges. He gave me more of his time than could reasonably be expected and interviewing him was both intriguing and a privilege. The staff at the Sikh Heritage Museum of Canada in Mississauga, Ontario, was likewise incredibly helpful. Their collection of anti-turban pins from 1990 complemented and augmented the ones I found on Ebay, and gave me the opportunity to carefully examine and analyze their make (which was of a surprisingly high quality, indicating that there was a substantial financial investment in their production). Archived newspapers provided the most comprehensive presentation of the debate of Dhillon's turban in 1989-90, including the ways the narratives were framed, the questions many people had about what the turban represented, concerns over Sikhism and terrorism, how individuals articulated these concerns, and the ways politicians and political parties utilized this national conversation in relation to their regional base. Doris Jakobsh's extensive work on Sikhism in Canada was crucial in understanding what of Dhillon's experiences and actions were "Sikh," and how that affected the ways other Canadians understood him. Likewise, newspaper articles, editorials, and letters to the editor provided essential primary sources on the debates, rhetoric, and mood in Canada in the late 1980s.

Despite repeated attempts to contact Zunera Ishaq and her lawyers, in the end it was not possible to speak with her directly. In the absence of a personal oral history, journalists' interviews with Ishaq became critical resources in collecting her views, motives, and personal characteristics and history. The federal election that she unintentionally influenced played out in

the midst of this dissertation research. Like with Dhillon, newspapers supplied the necessary pulse(s) of the nation, revealing the ways various groups and individuals articulated questions, concerns, and advocacy around the *niqab*.

For this case study, like with the Mennonite case, I also employed textile analysis in examining several *niqabs* from Pakistan, Saudi Arabia, Canada, and the United States, and considering how the construction and feel of these items affect individuals' sensorial responses to them. Muslim women's personal memories and reflections, on both sides of the veil debate, likewise play an important role in this case study and understanding the lived gendered experience of North American Muslimahs, including those who veil and those who do not.⁴⁸

It should be noted that the scholar occupies an unequal position of power over the narrative and interpretation, and it is entirely possible that a scholar (even this scholar) several decades removed from this federal *niqab* debate, or occupying a different location in history regarding the other two case studies, will have a different perspective than one researching in the midst my current events. The productive power inherent to methodology is at work in this very chapter; as I write this I am making choices about how to most clearly and persuasively articulate my understanding of these cases and their significance for reasonable accommodation, freedom of religious practice, and Canadian identity.⁴⁹

Human Rights

Religion and human rights are often side by side at or near the centre of social and legal issues. Even (indeed, especially) well educated Canadians consider the two at variance with one

⁴⁸ Including, for example. Raheel Raza, Homa Hoodfar, Maliha Masood, Zunera Ishaq, etc.

⁴⁹ Personal conversation with University of Toronto PhD candidate, Melanie Kampen, July 20, 2017.

another, overlooking that freedom of religion is itself a human right.⁵⁰ The right to religious freedom is part of both the Canadian Charter of Rights and Freedoms (s. 2[a]) and the UN Universal Declaration of Human Rights. When religious minorities agitate for changes that advance human rights laws and policies, the changes benefit and apply to all Canadians, not only those in their faith communities. This is not to dismiss the potential for religion to work against such goals, but rather to counter the prevailing narrative that accommodating religious minorities somehow inherently endangers the rights and freedoms of the rest of Canada. The case studies in this dissertation are three such examples, but there are many more. In fact, most Canadian human rights laws come from religious minorities pushing for change to the status quo. According to prominent Canadian human rights historian James W. St. G. Walker, no other organization can compare to the positive effect the Jewish Labour Committee has had on Canadian human rights laws.⁵¹ The *Fair Employment Practices Act* of 1951 and the *Fair Accommodation Practices Act* of 1954, for example — watershed laws that essentially banned ethnic, racial, or religious discrimination in employment and accommodation — were direct results of the work of the JLC.⁵²

Many scholars of religion and human rights, such as John Witte, Jr. and Christian Green, focus on the ways human rights are embedded within a given religion's belief systems, or how such systems are well suited to each other. Witte and Green also take a somewhat confessional approach in arguing that, "... religion and human rights need each other. Human rights norms need the norms, narratives, and practices of the world's religions."⁵³ I will discuss Witte and

⁵⁰ Morlock, "Religion Is a Human Right."

⁵¹ Personal conversation with James W. St. G. Walker, June 28, 2017.

⁵² Dominique Clément, Will Silver, and Daniel Trotter, *The Evolution of Human Rights in Canada*, (Ottawa: Canadian Human Rights Commission, 2012), 10.

⁵³ John Witte Jr. and Christian Green, eds., *Religion & Human Rights: An Introduction*, (Oxford: Oxford University Press, 2012), xiii-xiv.

Green's scholarship in greater detail, but first it is important to understand the context of their arguments.

Within human rights theory there are ongoing debates over when "human rights" became a popular and accepted regime (commonly called the "human rights regime") and whether they should be based on group or individual rights (central to the question of religion and human rights). In 2010, Harvard historian Samuel Moyn wrote a landmark book: *The Last Utopia: Human Rights in History*, in which he argues that contemporary human rights really only emerged in the 1970s, and are not rooted in events and ideas of the past the way the conventional narrative describes it. His intellectual history of human rights challenges the temptation to think about human rights along a church history model. In other words, historians once believed Christianity was the one true belief, which emerged and succeeded because it was valid and true. Moyn argues that this is how most people think about the history of human rights. Paralleling it with the story of Jesus, disciples, saints, and apostles, Moyn believes human rights historians tell the story in a similar way. Someone has the idea, early followers persevere against enormous opposition, and the idea itself is destined to succeed. The narrative is a teleological one. Human rights leads people, is triumphalistic, and is good news to the world.⁵⁴

Moyn argues against the commonly held idea that human rights came to fruition after World War II, growing out of horror at the Holocaust and as a result of the formation of the United Nations. Perhaps most controversially, he asserts that the early human rights conventions, such as the *Universal Declaration of Human Rights* (UDHR of 1948) and the *Genocide Convention* (1951), were "stillborn."⁵⁵ Instead of arising in the late 1940s/early 1950s, human rights emerged as the last global political utopia after all the others — especially nationalism and

⁵⁴ Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge: Harvard University Press, 2010), 10.

⁵⁵ Moyn, *The Last Utopia*, 11.

socialism — died away. He argues that coincidental occurrences coalesced in 1977, when Amnesty International won the Nobel Peace Prize, opponents of the Warsaw Pact and Latin American dissidents chose moral — rather than political — responses to repression, while American President Jimmy Carter’s personal values conveniently fit well with these developments. Soon after, international lawyers started employing existent but otherwise empty legal principles with the new inspiration of human rights opposed to state power.⁵⁶ Moyn’s arguments are not simplistic and demonstrate the ways human rights struggled to emerge, and how developments of the 2000s makes the certainty of their position less secure than in previous decades. Moyn pays particular attention to how post-9/11 appeals to “national security” challenge cherished principles including opposition to torture and freedom of belief. As a historian, he emphasizes that no part of history is inevitable, unfolding instead amongst conflicting visions. At best its outcomes are commonly unpredictable, and scholars should remember this as they write it down.⁵⁷

While Moyn’s arguments are provocative and provide an important critique of *how* the history of human rights is told, he is not a human rights scholar and those who have succinctly and effectively demonstrated the holes in his work.⁵⁸ While the specifics of that debate are beyond the scope of this theory chapter, Moyn’s work highlights the importance of not taking the narrative around human rights at face value. This is an important reminder for the research in this dissertation which, in part, challenges the grand narrative of Canada as a country that is a champion of human rights and is comfortable with religious diversity so long as it is “reasonable.”

⁵⁶ Moyn, 78.

⁵⁷ Moyn, 79.

⁵⁸ See, for example, a thorough analysis in Sarita Cargas, “Questioning Samuel Moyn’s Revisionist History of Human Rights,” *Human Rights Quarterly*, 38, no. 2 (May, 2016): 411-425.

The human rights regime has direct effects on the lives of religious communities and individuals, both enabling and restricting practices. T. Jeremy Gunn is professor of Political Science and Law at the Université Internationale de Rabat in Morocco, specializing in the study of human rights and the separation of church and state. He explains the difference between the two within international law as granting clauses, "... which identify scope and breadth of the right [to freedom of religion and belief]," and limitations clauses, "... that identify the circumstances under which a state or a government legitimately may restrict the exercise of the right."⁵⁹ He points out that human rights advocates and religious practitioners are,

... likely to focus on the freedoms that they wish to exercise ... [while] states and public authorities are more likely to be concerned with what they see as potential harms to the public order that are caused by religious actors, particularly when those actors engage in what may be seen as extreme or excessive manifestations of religion.⁶⁰

States often focus on the perceived potential for harm to those whom they deem "vulnerable," even when there are no legitimate dangers of violence or political extremism.⁶¹ This is especially evident in the case of Zunera Ishaq and her niqab, where there was a clear and articulated general concern that she was a victim of oppression. Or if she herself was not, then her niqab represented the oppression of vulnerable women.

Both the American and Canadian Supreme Courts have rules that, "... there should be an *absolute* protection for the freedom of belief, but only a *qualified* protection for the free exercise of religion ..."⁶² In Canada, the case *Trinity Western University v. British Columbia College of Teachers* set this precedent. In the ruling, the justices declared that, "Neither freedom of religion

⁵⁹ T. Jeremy Gunn, "Permissible Limitations on the Freedom of Religion or Belief" in *Religion & Human Rights: An Introduction*, eds. John Witte, Jr. and Christian Green, (Oxford: Oxford University Press, 2012), 254-255.

⁶⁰ Gunn, "Permissible Limitations," 255.

⁶¹ Gunn, 256.

⁶² Gunn, "Permissible Limitations," 256-258.

nor the guarantee against discrimination based on sexual orientation is absolute. The proper place to draw the line is generally between belief and conduct. The freedom to hold beliefs is broader than the freedom to act on them.”⁶³ Gunn explains that therefore any limitations clause which intends to restrict belief is “necessarily illegitimate.”⁶⁴ If, however, it only limits manifestation then it is subject to a three-step analysis which determines if international human rights laws and policies sanction the restriction. Two of the most influential human rights conventions — the *International Covenant on Civil and Political Rights* (ICCPR) and the *European Convention on Human Rights* (ECHR) — specifically identify this three part analysis. Both require that a state satisfy all three of the requirements for the limitation to be legitimate. If only one or two are met, the restriction is impermissible.⁶⁵

These standards are that first, the limitation must be “prescribed by law;” second, the limitation must further one of five legitimate state interests — public safety, public order, health, morals, or the protection of the rights of others; and third, the limitation must be “necessary” (or “proportional”) in a democratic society.⁶⁶ To the first, state authorities cannot restrict practice based on their own discretion. It must be rooted in a law that is established, public, and accessible to the individual or community it affects. In other words, the law containing the restriction must be published and readily available to the public. To the second (and very importantly), “national security” and “protecting previously established religions,” do not satisfy the condition.⁶⁷ Finally, “‘necessary’ is a strong term suggesting that no other option is possible

⁶³ *Trinity Western University v British Columbia College of Teachers*, [2001] 1 S.C.R. 772, 2001 SCC 31.

⁶⁴ Gunn, “Permissible Limitations,” 259.

⁶⁵ Gunn, 259.

⁶⁶ Gunn, 259-261.

⁶⁷ Gunn, “Permissible Limitations,” 260.

or that the consequences will be dire if the restriction is not imposed.”⁶⁸ While the first two have been known to interrupt states’ attempts to curtail religious practice, “... it is the third that is taken most seriously and is the condition that states are most likely to fail.”⁶⁹ As we examine the three case studies in this dissertation it is important to keep these three standards in mind. As a self-proclaimed promoter of human rights, Canada considers itself to be an exemplar of this model. Yet when the government has moved to restrict religious expression it has certainly not always met these international conditions, to which it is bound.

While not addressing religious accommodation, David Goutor and Stephen Heathorn’s work *Taking Liberties: A History of Human Rights in Canada* is a series of essays from human rights thinkers revising the rosy version of how Canada historically adopted and currently engages with the human rights regime. Goutor and Heathorn pointedly address the great reluctance with which the Canadian government adopted the international human rights movement in the 1940s, ‘50s, and ‘60s. This era is often considered the “golden age” of Canadian foreign policy, when Canadian diplomats played an influential part in creating many of the post-war global governance institutions. This did not, however, extend to rights. Modern Canadians often tout legal scholar John Humphrey’s role in drafting the UNDHR, but overlook that Humphrey was a member of the UN secretariat and was not representing his government. In fact, Humphrey was very critical of the Canadian government’s position on human rights, which he described as “skeptical,” and bordering on antagonistic.⁷⁰

This reticence was rooted in liberalism and *laissez-faire* ideas of government, which shaped Canada’s political and diplomatic landscape until the mid-twentieth century. While

⁶⁸ Gunn, 260.

⁶⁹ Gunn, 260.

⁷⁰ David Goutor and Stephen Heathorn, eds., *Taking Liberties: A History of Human Rights in Canada*, (Oxford: Oxford University Press, 2013), 88.

committed to British ideas of liberty, justice, and fairness, they considered developing an international framework of legally binding human rights problematic and ill-advised. These men believed that such social arrangements would entail an unacceptable degree of government involvement in the lives of Canadians. They were not wrong that there was a sharp increase in this. *Taking Liberties* demonstrates how the most significant new rights acquired through mid-century grass roots activism gave the government unprecedented intervention in the private sphere. For instance, most of Canada's early human rights laws (such as the Jewish Labour Committee led *Fair Employment* and *Fair Accommodation* acts previously discussed) had to do with labour and housing, which affected the manner in which employers and landlords ran their businesses.

The *laissez-faire* principle was deeply entrenched in Canadian society and required a massive mental shift to adopt the more intrusive rights model. In his contribution to Goutor and Heathorn, James W. St.G. Walker explains how, when African Canadian Fred Christie sued a Montreal bar for refusing to serve him in 1936, the Supreme Court ruled in the tavern's favour, focusing on the right of the owner to do business (or not) at his discretion. Aside from the Court's dismissal of overt racism, its staunch support of the private rights of the business owner demonstrates how entrenched the value placed on state non-interference was in mid-century Canada.⁷¹

Goutor, Heathorn, and their contributors astutely challenge any tendency to dismiss these as antiquated mentalities, reminding readers that the current concept of rights and freedoms are very new, and in many ways a departure from earlier conceptualizations of liberty and justice.

⁷¹ See discussion in Walker, James W. St. G., "Decoding the Rights Revolution: Lessons from the Canadian Experience," in *Taking Liberties: A History of Human Rights in Canada*, eds. David Goutor and Stephen Heathorn, (Oxford: Oxford University Press, 2013), 29-58.

They do not support Moyn in seeing this as a distinct and sharp departure, and in fact historicize human rights in Canada charting the challenges and opposition the concept faced without writing a teleological narrative.⁷²

If Canada was so reluctant to adopt the mid-century human rights regime, from where did the modern self-identity of a nation rooted in human rights arise? In his book, *For Canada's Sake: Public Religion, Centennial Celebrations, and the Re-Making of Canada in the 1960s*, Historian Gary Miedema describes how the Liberal government intentionally and deliberately re-wrote the Canadian self-identity to be one of multiculturalism and inclusion of diversity.

Driven by a desire for reform and enabled by the affluence of the post-1945 period, the Pearson Liberals moved to bind together their fragmenting country by offering Canadians a different understanding of themselves and their nation. They presented to Canadians a vision of a developing Canadian personality — a decidedly more inclusive, pluralistic country that would be united in its diversity.⁷³

Packaged as a “religiously neutral” nation, religion was nonetheless at the heart of these transformations. “Both the turmoil of the 1960s and the debate about national identity explicitly involved religion and indicated a profound transformation in how Canadians were understanding — and being asked to understand — their country, their institutions, and themselves.”⁷⁴

Using the Centennial celebrations to demonstrate the prominent role of religion, Miedema argues that public religion was not waning in 1960s Canada, but rather was shifting from a Christian hegemony to an intentionally interfaith model. “Canada was predominantly Christian, to be sure, but it was also making new room in national public life for other religious persuasions.”⁷⁵ The momentousness of this readjustment cannot be overstated.

⁷² Goutor and Heathorn, *Taking Liberties*, 33.

⁷³ Gary Miedema, *For Canada's Sake: Public Religion, Centennial Celebrations, and the Re-Making of Canada in the 1960s*, (Montreal and Kingston: McGill-Queen's University Press, 2005), 234.

⁷⁴ Miedema, *For Canada's Sake*, xvii.

⁷⁵ Miedema, xv.

In the 1960s ... many of the demarcations of Christian privilege in Canadian public life either dramatically disappeared or were transformed into declarations of a new Canadian 'religious neutrality' that attempted, at least visually, to give equal status to all faith groups in Canada. Though still very much in progress, that shift was arguably one of the most significant adjustments in understandings of Canada in the history of the nation.⁷⁶

Recognizing religious pluralism was a noteworthy change from the days of the United Church of Canada — established through an act of Parliament in 1924 — having significant access to the halls of power.⁷⁷ While the conservative evangelical movement was growing and entrenching, the mainline denominations supported ecumenical and interreligious movements.⁷⁸ "... The shared reformist mindset of leaders of key churches and the state enabled the relatively smooth reimagining of the official religious understanding of Canada."⁷⁹

When he took office the following year (1968), Prime Minister Pierre Elliott Trudeau followed the precedent set by Pearson and brought a Canadian identity rooted in diversity to fruition. In 1969 he brought in the *Official Languages Act*, making Canada officially bilingual, and, on 8 October 1971, Trudeau announced that multiculturalism was now an official government policy. The government committed to supporting multiculturalism in four ways: assisting multicultural groups in their development and growth, assistance to these groups in overcoming barriers to full participation in society, promoting exchanges between diverse cultural groups, and assisting immigrants in learning French or English.⁸⁰ Trudeau's most lasting legacy is perhaps the *Charter of Rights and Freedoms*, enacted in 1982, enshrining the rights of

⁷⁶ Miedema, xv

⁷⁷ For more on the history of the United Church in Canada, and its role in government, see Phyllis D. Airhart, *A Church With the Soul of a Nation: Making and Remaking the United Church of Canada*. Montreal: McGill-Queen's University Press, 2013.

⁷⁸ Miedema, 65.

⁷⁹ Miedema, 201.

⁸⁰ "Canadian Multiculturalism Policy, 1971," Canadian Museum of Immigration at Pier 21, accessed July 8, 2017, <http://www.pier21.ca/research/immigration-history/canadian-multiculturalism-policy-1971>.

individuals — with certain limitations — in the highest law of the land. The *Charter* is the cornerstone of human rights law in Canada.⁸¹

Goutor and Heathorn’s book goes beyond historical events to make the important point that, despite the reforms of the 1960s and ‘70s, human rights remain a highly contested idea in Canada. This is, in part, a significant focus of this dissertation. These case studies build on these earlier works and demonstrate how religious accommodation in particular reveals the skeletons in the Canadian closet. While opposition to accommodating religious minorities is often couched in human rights rhetoric (especially appeals to gender equity) one does not need to dig far beneath the surface to find that such resistance is often, in fact a direct contravention of domestic and international human rights standards. The minority may be portrayed as a threat to the venerated Canadian value of human rights, but these case studies reveal that it is often the minority who is in fact advancing human rights in Canada, and the so-called sacrosanct value is anything but when other more pressing narratives come into play — such as misinformed preconceptions, prejudice, and hostility to overt “other” religious practice. Moreover, when the supposedly threatening “other” advances rights claims, they do so for all Canadians, not in some utopian ideal or optimistic “for the good of all,” but because human rights laws in Canada usually apply to all.⁸² So while vocal opposition seeks to limit religious manifestation in the name of human rights, the “backward” religious adherent is in fact advancing actual rights for all Canadians.

⁸¹ It should not be assumed the Trudeau’s motivations were purely altruistic. While a personal believer in what he espoused, he was also an astute politician. The Liberal party was losing its base in Quebec and Trudeau saw new opportunity in the ethnic vote.

⁸² Current use of majority religion to apply to “heritage and culture” points to an important aspect of how these concepts function on behalf of the majority within a diverse society, but is beyond the scope of this chapter.

José Casanova made a related argument in his seminal work *Public Religions in the Modern World*, in which he argues that the marginalization of religion is not a necessary outcome of the differentiation of secular spheres from religious institutions because public religions in modern societies do not necessarily threaten the foundations of liberal democracies. He sees “legitimate” public religions as those that do not threaten individual freedoms or differentiated structures, considering how a religion can be both public and modern.⁸³ Casanova’s work arose in the wake of several religious traditions – from liberation theology Catholicism to political Islam – forcefully engaging in the public arena, controverting the established wisdom that markets and nations were value neutral and that religions’ role was exclusively individually pastoral.

Drawing on these human rights theories, this dissertation presents a scholarly human rights based approach (HRBA or RBA) as the theoretical lens to these case studies. This includes a commitment to integrate human rights’ concerns into the research questions we, as scholars, bring to a topic.⁸⁴ This framework modifies and is rooted in prior human rights theories, applying established scholars’ ideas of personhood and human dignity to the cases at hand.⁸⁵ This research takes legal rights and gender narratives (both in practice and presumption) as its paradigm to human rights in general, beginning with a conceptual analysis of the meaning of women’s place and agency in terms of gender within the Ontario Mennonite community in the first chapter. This

⁸³ José Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994).

⁸⁴ See Patrick Twomey, “Human Rights-Based Approache to Development: Toward Accountability” in Mashood Baderin and Robert McCorquodate eds., *Economic, Social, and Cultural Rights in Action* (Oxford: Oxford University Press, 2007).

⁸⁵ Carl Wellman, “Two Approaches to Human Rights” in Roger Crisp, *Griffin on Human Rights* (Oxford: Oxford University Press, 2014).

is set within the context of fundamental and developing Canadian legal conceptions of group specific rights, identifying the groundwork of how the nation evolved to an individual human rights based model. This structural analysis reflects both a top down and bottom up approach to human rights, using both sorts of reasoning (though the emphasis and analysis are more concerned with the latter).

I approach the Mennonite case study, for instance, with the intention of illuminating the often overlooked lived experiences and views of early 19th century Mennonite women within a deeply patriarchal community and nation as a primary research goal. In fact, as we will discuss shortly, dress analysis itself functions as an equitable and equalizing vehicle for research, allowing subaltern voices to emerge whose written records either never existed or were not valued and preserved. In addition, looking at cases such as this that are not “overtly” matters of national human rights importance contribute to a more nuanced understanding of how human rights ideals, policies, and laws develop.

It is then, however, important as scholars to avoid the temptation to tell a teleological version of human rights history. John Witte discusses abuses in Afghanistan in the light of the state of human rights in “fledgling” and “volatile” nations. Scholars often reference the ways Western society/Christianity went through “these stages” (ie. the Spanish Inquisition, Salem with trials, etc.) but “we” have moved “beyond” them.⁸⁶ Such an approach — aside from ignoring the quantifiable evidence that twenty-first century Westerners and Christians are every bit as capable of human rights abuses as any other people — presents a picture where a religious minority seeking a rights accommodation in Canada is tied to these “backward” practices, such as the niqab, which therefore makes the individual and the community they represent backward and

⁸⁶ Witte, Jr. and Green, eds., *Religion & Human Rights*, xiii.

unenlightened in the public imagination. This plays directly into how our society constructs identity, who we consider insiders and outsiders, how we maintain our boundaries, and who gets to be considered truly Canadian.

Reasonable Accommodation

Accommodating these religious minorities in Canada is a hotly debated issue. The push in the 1960s for a religiously neutral nation created space at the table for religions beyond Christianity. But five decades later, the belief in a secular and religiously neutral public sphere has had the unintended result of pushing religious minorities, for whom privatization of practice is not feasible, to the margins. Religion and law scholar Lori Beaman provides thorough analyses of these challenges in her edited volume, *Reasonable Accommodation: Managing Religious Diversity*. In her contribution to this work, legal scholar Natasha Bakht argues that, “A normative project of multiculturalism wherein people from many different walks of life with diverse and deep commitments try to live peacefully together will always entail negotiation and renegotiation.”⁸⁷ This reality is often denied when “we” feel that “they” are trying to change “us.” When the majority feel their entrenched hegemony threatened they can react swiftly and viscerally, as in the overtly protectionist propaganda several Albertans produced in response to Baltej Singh Dhillon’s request to wear a uniform turban as an RCMP officer.

Beaman nods to “... broader international trends of which Canada is a part,”⁸⁸ noting that, “In Western culture, diversity has generated a number of patterns of response,” which include, “... the separation of church and state; the recognition of a state church with provisions

⁸⁷ Natasha Bakht, “Veiled Objections: Facing Public Opposition to the Niqab” in *Reasonable Accommodation*, Lori G. Beaman, ed., (Vancouver: UBC Press, 2012), 71.

⁸⁸ Beaman, *Reasonable Accommodation*, 7.

for ‘Other’ religions; and the de facto establishment of a religious hegemony with some protection for religious minorities.”⁸⁹ Each of these responses affect the everyday lives of religious adherents and how they construct their identities.⁹⁰ In Canada, though there is a policy of religious neutrality, there is no legal separation of church and state in the American manner, though many assume there is. Like most other Canadian human rights legislation, reasonable accommodation practice began in labour law (such as an employee’s request to the employer for flexibility regarding their religious practice) and was limited to this sphere until the 2006 *Multani* Supreme Court Case, over whether a Sikh child could wear a *kirpan* (ceremonial dagger) to school. When the court ruled in his favour, “Reaction was swift, much of it negative, and much of it focused on the idea that there was simply ‘too much’ accommodation happening.”⁹¹

It is important to remember that these matters are not clear cut with well defined opposing sides. Beaman points out that, “hegemony is often far less unified than it may appear.”⁹² For example, while the Supreme Court has recognized Canada as a Christian majority nation, and while a simple “binary of majority/minority” may be a helpful place to start, the reality is far more complicated.⁹³ The case study in the next chapter on Mennonite headcoverings in the early twentieth century shows that within hegemonic Christianity (especially when Canada was an overtly Christian nation) there were (and are) Christian minorities within the larger group. Furthermore, within the hegemony, how many consider themselves engaged Christians? Beaman goes on to ask, “... how do we measure the Christian-ness of social institutions and ideologies? How is it possible to disentangle liberalism and its emphasis on individualism and free choice

⁸⁹ Beaman, 2.

⁹⁰ Beaman, 2.

⁹¹ Beaman, 3.

⁹² Beaman, *Reasonable Accommodation*, 4.

⁹³ Beaman, 4.

and protestant Christianity and its basis in individual choice and relationship to God?”⁹⁴ Within Christian groups there are those who are strong proponents of the human rights regime, and those who actively oppose it. Within those same groups there are individuals who do not align with their community’s position. In the words of Beaman, “These are the subtle and sometimes not so subtle strands that run through the matrix of reasonable accommodation.”⁹⁵

The current conversation around reasonable accommodation and religious minorities exists in a context where many Canadians — as a direct result of the human rights and multicultural re-imagining already discussed — see themselves as a nation that champions human rights and diversity. This ideology alongside and entwined with ideals of secularism and religious neutrality, “... often result[s] in contested definitions of diversity ...”⁹⁶ This is a significant part of the tension in the Dhillon and Ishaq case studies. Multiculturalism as a framework, “... influence[s] the determination of what is reasonable and what is to be accommodated.”⁹⁷ This framework is also a source in and of itself for the opposition expressed in these cases, where certain groups feel that the principle itself is at best problematic and at worst a direct threat to what they hold sacred. Despite and in response to this, “reasonable accommodation has emerged as one of the ways in which negotiation is framed within the Canadian multicultural framework.”⁹⁸ The content and process of this model are highly contested, but nowhere so fiercely as with regard to identity.

Identity is naturally tied into group and community, which points to a debate at the heart of the human rights regime: individual versus group rights. It is beyond the scope of this

⁹⁴ Beaman, 4.

⁹⁵ Beaman, 4.

⁹⁶ Beaman, 4.

⁹⁷ Beaman, *Reasonable Accommodation*, 4.

⁹⁸ Beaman, 5.

dissertation to engage the full debate, which is largely centred in the European courts, but it is necessary to note that both international and Canadian human rights law has landed on the side of individual rights trumping group rights (in large part to ensure that any individual has the right to act in ways their group may not approve). Furthermore, in Canada the sincerity of one's belief in a court of law is not determined by the standards of the group to which the individual belongs (ie. whether a woman needs to wear a *niqab* is not determined by whether an imam or Islamic scholar testifies to the religion's tenets). However, Beaman argues for the importance of keeping the group in one's field of vision when it comes to reasonable accommodation.

What the group or individual discussion often seems to miss is that although claims may be advanced by individuals, they inevitably invoke an attachment to a group. ... Most claims, whether in formal legal processes, other public discussions and negotiations, or day-to-day interactions, invoke this recollection of group identity ... Reasonable accommodation calls for some articulation of group identity, even in the face of human rights regimes that are predicated on individual claims.⁹⁹

This tends to heighten public anxiety over religious accommodation. "Embedded in discussions of accommodation are notions of the slippery slope — if 'we' allow this, then what next?"¹⁰⁰ Canadian culture views choice positively, "... as long as it is not a choice to submit to religious authority."¹⁰¹ In another one of her works, *Defining Harm: Religious Freedom and the Limits of the Law*, Lori Beaman addresses this directly. Intersecting religion, law, and culture, she examines how these strands connect to create views of what constitutes "harm." She asks her reader to consider when religious practices shift from acceptable expressions of cultural diversity to intolerable acts that society and state may justifiably curtail. And what is the scope of religious multiculturalism within Canadian cultural normativity?

⁹⁹ Beaman, 5, 6, 8.

¹⁰⁰ Beaman, *Reasonable Accommodation*, 6.

¹⁰¹ Beaman, 10.

Using the Supreme Court case of Bethany Hughes, a Jehovah's Witness teenager with cancer who wished to refuse blood transfusions in her treatment, Beaman demonstrates how Hughes' body became a battleground for competing discourses. "The binary split between body and soul ... creates a space for the governance of the body while disconnecting it from the soul."¹⁰² This is certainly evident in all three case studies in this dissertation. Likewise, both Hughes' case and these examples reveal how the body can also become a means of dissent against a dominant discourse. Beaman argues that this dissent, and the legal opposition to it, demonstrates that the way law judges practices is a belief system unto itself. This is a central argument of my dissertation. The idea that religious minorities enter some sort of blank slate of religious neutrality in the secular public sphere, and that it is they who bring an intractable attachment to a belief system, is simply untrue. This is far from limited to the legal profession. In her preface to *Defining Harm*, Beaman notes that she was, "... amazed at the unwillingness of my colleagues to engage in a serious discussion of religion and society without indulging in a dismissiveness that does little to expand knowledge about the ways that religion intersects with our culture."¹⁰³

Intersectionality and identity are cornerstones to this dissertation's discussion of agency. Scholars, such as Barbara Applebaum, Maria Lugones, Alison Jones, Fiona Webster, and Seyla Benhabib are paying increasing attention to the social location of the moral agent. Agency (the "ability to do") is often discussed within a framework of autonomous and abstract individualism. Immanuel Kant's work presents an impartial and unembodied vision of personhood with no

¹⁰² Beaman, 151.

¹⁰³ Beaman, *Defining Harm*, ix.

consideration for a person's multiple sources of social identity.¹⁰⁴ These scholars encourage other scholars to take situatedness seriously. At the same time, it is important not to become so fixated on a person's location "that agency becomes an incoherent and futile idea."¹⁰⁵ Rather, scholars need "a notion of situatedness that elucidates the complex and mutually sustaining relationship between the individual and social structure."¹⁰⁶ All individuals live within behaviour-directing and meaning-defining environments. Being involved with a group, any group, necessarily involves some pressure to exercise practices that are rewarded. Group members are rarely conscious of the expectations they enact and embody, perceiving such behaviours and moral codes as what is "normal."¹⁰⁷ This is true in both dominant and minority groups (though the forms and results look very different).¹⁰⁸

Agency affects the agency of others, and the situated agency of a dominant group may require its members to decenter their "ability to do."¹⁰⁹ Applebaum explains that "although 'agency' traditionally refers to a 'taking action,' situated moral agency may require a 'not doing' or more specifically a 'not deciding on one's own what needs to be done.'"¹¹⁰ In terms of accommodation and a visible religious minority's choice, this means that an individual's action invariably exists within a larger group framework that necessarily limits practices of agency in some ways, and socializes them into values, ideas, practices, and forms of belonging over which

¹⁰⁴ Barbara Applebaum, "Situated Moral Agency: Why It Matters?" in *Ontario Institute for Studies in Education of the University of Toronto* (2002), 357.

¹⁰⁵ Applebaum, 358.

¹⁰⁶ Maria Lugones, "On the Logic of Pluralist Feminism," in *Feminist Ethics*, ed. Claudia Card (Lawrence: University Press of Kansas, 1991), 42.

¹⁰⁷ Applebaum, 360.

¹⁰⁸ See Applebaum.

¹⁰⁹ Applebaum, "Situated Moral Agency," 363.

¹¹⁰ Applebaum, 363.

they do not have complete (or at times even partial) control. This reality is far from limited to religious minorities and is in operation for all people at all times. “We all limit our practice of agency in some ways.”¹¹¹ The agency of dominant group members curtails the agency of other members, and the agency of dominant groups impinges on the agentic control of minorities. Therefore, in terms of Canada's laws and policies around accommodation, it can be necessary for those in power (whether in an official or social capacity) to “not do,” acknowledging individuals’ ability to “do” as they deem appropriate to their own religious practice. It is necessary, then, to understand that agency is connected to structure. Ignoring this can perpetuate power imbalances.¹¹² Seyla Benhabib argues that agency is “... that point at which we are ‘free’ from our situatedness to deliberate and decide.”¹¹³ Sabah Mahood argues for the importance of keeping definitions of agency open, allowing them to emerge from within the institutional and social networks from which they arise. She maintains that this requires untethering agency from “the goals of progressive politics,” which has “led to the incarceration of the notion of agency within the trope of resistance against oppressive and dominating operations of power.”¹¹⁴

Many Canadians believe that they live in a post-religious society (whether they see this as a positive or a negative is a separate discussion), but this belief ignores the situatedness of such a claim, as well as those it curtails. Furthermore, the demographic reality of Canada belies such a claim. As Beaman articulates, “... the religious landscape of Canada is shifting through

¹¹¹ David Seljak, personal correspondence, Waterloo: ON, Nov. 1, 2017.

¹¹² Applebaum, 363.

¹¹³ Seyla Banhabib, in Fiona Webster, “The Politics of Sex and Gender: Benhabib and Butler Debate Subjectivity,” *Hypatia* 15, no. 1 (Winter 2000): 1-22.

¹¹⁴ Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject*. (Princeton, NJ: Princeton University Press, 2005), 34.

immigration and changing patterns of practice ...” in increasing and significant ways.¹¹⁵

Therefore, “... thinking about the ways in which spiritual beliefs are expressed in day-to-day life and the ways in which the *Canadian Charter of Rights and Freedoms* protects and limits religious freedom has never been more important.”¹¹⁶ Despite this, “... scholars and society alike are ill-equipped to deal with the challenges of religious diversity, in part because we have for so long assumed that the religious landscape is static, and additionally because religion has not been taken particularly seriously at an analytical or policy level.”¹¹⁷

Like the Mennonites and conscription, Baltej and his turban, and Ishaq and her niqab, Hughes’ experiences provide an important lens into the, “dynamic intersections of discourses in the governance of the religious citizen.”¹¹⁸ These cases provide an entry point for examining religious minorities and powerful public belief systems in, “a social climate of risk and fear.”¹¹⁹ Though her study focuses on a Jehovah’s Witness, Beaman gives attention to the way this climate focuses on the threat of terrorism. “... As a specific manifestation of the fear of ‘the other,’ and though terrorism exists as a real threat, it in part plays on fears that the social fabric of the nation is being dramatically altered by ‘minorities,’ a broad category of otherness that shifts through the playing out of power relations.”¹²⁰ This social anxiety certainly played heavily into both the Dhillon and Ishaq cases. This all exists alongside moral panics rooted in this culture of fear where many within the majority feels the threat of losing morality, nationhood, and hegemonies. “Religion is a key player in this intersection, and here the residue of Christian

¹¹⁵ Lori Beaman, *Defining Harm*, ix.

¹¹⁶ Beaman, ix.

¹¹⁷ Beaman, ix.

¹¹⁸ Beaman, 1.

¹¹⁹ Beaman, 2.

¹²⁰ Beaman, *Defining Harm*, 4.

hegemony is particularly insidious, in part because of the pervasiveness of the notion that we live in a secular society.”¹²¹ This fear turns into specific panics over the perceived dissolution of cherished Canadian ways of being. “Frequently, religious minorities inadvertently press these panic buttons, especially when their beliefs and activities threaten a Christian hegemony that is itself in flux and under revision.”¹²² For this reason Beaman emphasizes the importance of carefully considering, “... Christian hegemony in the process of sorting through the interpretation of religious freedom in Canada ... In this social climate, fear of the other is pervasive, especially the religious other (which often combines with the immigrant other []) ...”¹²³

Beaman pushes her readers to think beyond common narratives and perceived wisdom. She asks, “If religious freedom is interpreted only in the context of mainstream religion, and as necessitating some variation of mainstream religion in order to be protected, is this religious freedom at all?”¹²⁴ She wants her readers to consider the implications of the phrase “religious accommodation” itself and its inherent power imbalance (someone must have the authority to grant the accommodation to the “other”). This is an interesting argument in the midst of a country where human rights theory is itself challenged. It is important to keep power (im)balances in view, while in practical terms of social cohesion and institutional function it is first necessary for individuals to become aware of and comfortable with the realities of religious diversity and international human rights law. From there it is worth asking Canadians to consider, “... why some behaviours and beliefs are constructed as the result of brainwashing rather than

¹²¹ Beaman, 4.

¹²² Beaman, 5.

¹²³ Beaman, 4, 6.

¹²⁴ Beaman, 147.

agency.”¹²⁵ Why is it reasonable for an Anglican woman to always remain fully clothed on hot days, despite laws that guarantee her right to go topless (and why would the fact that she is an Anglican never come to bear), whereas a Pakistani Muslim woman’s choice to retain her face veil must be evidence of oppression and extremist indoctrination? As a result, her body (like Bethany Hughes’) becomes, “... a symbolic manifestation of a religious minority that is the focus of regulation.”¹²⁶

Beaman points to renowned religious studies scholar Robert Orsi’s assertion that Christianity is considered, “... the highest realization of global religious culture.”¹²⁷ This leads to the impulse to dichotomize “good Islam” from “bad Islam” in the wake of the terrorist attacks of September 11th. In this framework, “good Islam” most closely resembles a privileged Christianity.¹²⁸ This is likewise true of other religious minorities, though perhaps without the same degree of panic attached to Islam. Beaman takes Orsi’s point further to illustrate, “that some Christianities are more privileged than others,” such as in the case of Mennonites during World War I.¹²⁹ “Indeed, the moral donning of the ‘good’ and ‘bad’ labels extends across religious boundaries, picking up on fears, threats to nation-states ... and embedding those fears in the production of a narrative of harm.”¹³⁰

¹²⁵ Beaman, *Defining Harm*, 152.

¹²⁶ Beaman, 152.

¹²⁷ Robert Orsi, 2003, 171, quoted in Beaman, *Defining Harm*, 153.

¹²⁸ Beaman, discussing Orsi, *Defining Harm*, 153.

¹²⁹ Beaman, *Defining Harm*, 153.

¹³⁰ Beaman, 153.

Materiality

Though her study focuses on jurisprudence, Beaman also points out in *Defining Harm* that, "... religious symbols come to act as signifiers of membership, ... [reproducing] the constructive markers of difference. This is so both for the hegemonic voices of religion, symbolized by the Christian cross, as well as for those on the margins, as symbolized, for example, by the hijab or the kirpan."¹³¹ This is a useful window into the role material culture plays in this dissertation. While material culture studies have been well established in several disciplines for decades, such as history and anthropology, religious studies has been slow to appreciate its full scope for enriching our work. Religious Studies scholar, editor, and co-founder of *Material Religion: The Journal of Objects, Art, and Belief*, S. Brent Plate sees this gap and its potential. In his book, *A History of Religion in 5 1/2 Objects: Bringing the Spiritual to Its Senses*, Plate writes passionately for the crucial role materiality plays in people's lives and practices, and in a scholar's understanding of religion. "To learn about religion we have to come to our senses. Literally. We have to begin to discover ... that we cannot know the worlds of any other culture, let alone our own, unless we get inside the sensational operations of human bodies."¹³² He notes that, "philosophers and historians" have, "recast their eyes on overlooked objects, writing stories of such mundane things as salt ... cod ... potatoes, tulips ... and how these have altered the history of civilization."¹³³ But where are the religious studies scholars?

Religious studies, like our liberal democracy, grew out of a Protestant hegemony and has therefore privileged written accounts and ideas. Plate calls this, "... The linguistic and cognitive biases on which our idea of 'knowledge' relies."¹³⁴ There are racial and colonial undertones to

¹³¹ Beaman, 3.

¹³² Plate, *A History of Religion*, 8.

¹³³ Plate, *A History of Religion*, 13.

¹³⁴ Plate, 9.

this privileging, which also affect how scholars perceive and understand religion, that will be discussed shortly. “In short, knowledge is believed to be about rational thoughts, communicated in verbal language, at the expense of the body and its perceptions.”¹³⁵ Plate argues that religious history is inherently incomplete, “... if it ignores the sensing body” and the evidently banal items it encounters.¹³⁶ “Human history is not just a story of big ideas and bloody battles that erupted across the earth for eons. It is also a history of the objects that humans have forged out of natural materials, how we have used them and how they have simultaneously used us.”¹³⁷

Plate focuses how, through religious experience, “... the most ordinary things can become extraordinary.”¹³⁸ Indeed, this goes beyond overt religious experience. A Stetson is simply a broad-brimmed hat designed for functional usage by its cowboy wearers. The Royal Canadian Mounted Police adopted it for practical and budgetary reasons. Likewise the red serge jacket. The armoury had a surplus of red serge so that is what they used for the uniforms. And yet, combine the red serge and the Stetson, add a pair of riding boots, and you have a Mountie — an iconic representative of revered Canadiana. The Stetson becomes a sacred item, and when an iconoclast seeks to change it, many Canadians have a visceral response. Objects become part of culture and belief through symbolic and ritualistic interactions with bodies.¹³⁹ “Ultimately, it is physical objects ... and our ... encounters with them, that give rise to our religious language and make sacred utterances meaningful.”¹⁴⁰

¹³⁵ Plate, 9.

¹³⁶ Plate, 14.

¹³⁷ Plate, 14.

¹³⁸ Plate, 4.

¹³⁹ Plate, *A History of Religion*, 11.

¹⁴⁰ Plate, 21.

Experience is therefore inherently a “two-way process.”¹⁴¹ “It takes two to tango, and meanings are created from the dance — the interactions, relationships, and exchanging of information.”¹⁴² Beyond the encounter between the believer and the object, or even the believers within a community, religious individuals wearing sacred items — a Sikh in a turban, a Muslim in a niqab — and members of mainline Canadian society create new meanings around these items in their give and take over what they mean in the Canadian cultural context. This reimagines traditional understandings of the objects, and creates new narratives for the objects and their use in Canadian understanding. Whether this is a favourable or negative understanding is immaterial. The exchange between actors on both sides of the fabric are producing a new narrative. A third way beyond a traditional religious understanding and a preconceived “Western” view. In some cases, such as the RCMP and the turban, the minority successfully encourages the majority to adopt a new understanding that creates a completely novel way of understanding for all parties — a turban on a Mountie as a symbol of sacred Canadian multiculturalism. In others, the minority may be successful in achieving their goal, but the larger society is largely uninterested in co-creation, so their narrative — while exchanging new information with the other side — remains largely unchanged, such as in the case of Zunera Ishaq and her niqab. This new understanding then, of the niqab in Canada, retains much of its negative association though it has been undeniably complicated by Ishaq’s insertion of a new narrative. In others, the minority achieves one goal (such as Mennonites retaining conscientious objector status) but their communication is unclear and the wider society largely misses their intended message (as in the case of the bonnets).

¹⁴¹ Plate, 10.

¹⁴² Plate, 11.

Plate explains, “We rely on the known to understand what is unknown. One thing suggests another: the familiar, already experienced, carries us to the strange, as yet unexperienced other shore.”¹⁴³ This is at the heart of misunderstandings in these case studies. Mennonite women in the 1950s pushed back against male headship through the headcovering, so one naturally assumes it was the same in the 1920s. Christian women’s headcoverings are rooted in Corinthians and Ephesians so a Muslim woman’s hijab is read through the lens of male headship. Members of extremist Islamic organizations insist on women being fully veiled so any woman wearing a niqab elicits an association that she is either oppressed by the men in her life or is connected with ISIS or Al-Qaeda or both. It is through the mutual exchange of object and experience that such associations are rewritten. It is therefore imperative that religious studies, as a discipline, develops a greater understanding of the role of materiality in practice. Plate explains, “My research ... has convinced me that religion must be understood as deriving from rudimentary human experiences, from lived, embodied practices. This is not to disregard the intellectual writings — far from it — but to resituate them in actual space and time and to write many histories beginning with the indefinite article.”¹⁴⁴

For Plate, focusing on the intellectual side of religion puts the proverbial cart before the horse. “Religion, being a prime human activity throughout history, is rooted in the body and in its sensual relations with the world. ... We make sense out of the senses. This is the first true thing we can say about religion, because it is also the first true thing we can say about being human. We are sentient beings, and religion is sensuous.”¹⁴⁵ He logically articulates that talking about senses requires objects to sense. One cannot smell without something to smell, or touch

¹⁴³ Plate, *A History of Religion*, 19.

¹⁴⁴ Plate, 15.

¹⁴⁵ Plate, *A History of Religion*, 7.

without something to feel.¹⁴⁶ “The human body feels the world, engages the sights and sounds, tastes and smells of one’s setting, incorporating (literally, ‘bringing into the body’) the environment around.”¹⁴⁷ This should not be a radical thought, but it has taken academia — and religious studies in particular — a long time to reach this point.

This sensorial understanding of the world is not neutral, however, and is connected to cultural understandings. In their book *Sensible Objects: Colonialism, Museums and Material Culture*, Elizabeth Edwards, Chris Gosden, and Ruth B. Phillips directly challenge, “... the pervasive colonial legacies which have privileged the Western sensorium.”¹⁴⁸ They seek to “problematize the colonial and modernist empowerment of visual inspection ... as [the] primary [mode] of understanding ...” — what they call, “Western ocularcentricism.”¹⁴⁹ They explore different sensory ratios and registers non-Western societies use to understand material culture, highlighting Western assumptions about how “we” understand cultural objects and the associated, “cross-cultural instability of sensory categories.”¹⁵⁰ They focus on how museums have institutionalized these hierarchies of perception, but I would argue the academy is equally culpable of maintaining power imbalances in these, “... clashes of sensory systems within the colonial encounter ...”¹⁵¹ Simply put, “different cultures ... create their own material orders ...”¹⁵² The five sense model so taken for granted is a Western construct. Other cultures have developed other sensory models, but in presenting material culture from these societies scholars and museums use a five sense model of interpretation with a heavy reliance on visual

¹⁴⁶ Plate, 10.

¹⁴⁷ Plate, 5.

¹⁴⁸ Elizabeth Edwards, Chris Gosden, Ruth Phillips, eds., *Sensible Objects: Colonialism, Museums and Material Culture*, (Oxford: Berg, 2006), 1.

¹⁴⁹ Edwards et al., 2-3.

¹⁵⁰ Edwards et al., 3, 8.

¹⁵¹ Edwards et al., 3.

¹⁵² Edwards et al., *Sensible Objects*, 5.

understanding. We are missing most of the information these objects offer. “A broader view of the senses ... not only brings with it a more holistic view of the role of material culture in human relations, but also extends our understanding of the integrated field of the material as phenomenologically experienced.”¹⁵³ This provides invaluable insights into how people actually live and behave.

In terms of religion, Plate notes that, “People who practice religion do not necessarily *know* about the ... doctrinal elements of that religion, but they *know how* to do that religion.”¹⁵⁴

This embedded hierarchy of understanding limits the field of inquiry. Edwards, Gosden, and Phillips argue that;

... the over-determined concentration on visualism in contemporary cultural theory poses something of a stumbling block for understanding the full range of interactions with material culture. ... The concern ... is not so much with the suppression or denial of the visual but with the importance of acknowledging its sensory embeddedness. ... What needs emphasis ... is the way in which ... one particular hierarchy of the senses has been used to legitimate certain forms of authority. ... The Western valuation of seeing and hearing as primary senses for the production of rational knowledge and the keying of touch, smell, and taste as lower and ‘irrational’ is fundamental to the Western sensory schema.¹⁵⁵

As scholars, taking a more multicultural-multisensory approach allows visual interpretation to integrate into a more holistic, richer, and “ethnographically adequate” approach to understanding the material culture of many communities.¹⁵⁶ “Cross-cultural approaches can, thus, put vision in its place, as only one way of apprehending the world even if central and variously privileged.”¹⁵⁷

¹⁵³ Edwards et al., 4.

¹⁵⁴ Plate, *A History of Religion*, 21.

¹⁵⁵ Plate, 7.

¹⁵⁶ Edwards et al., *Sensible Objects*, 8.

¹⁵⁷ Edwards et al., 8.

To understand diverse objects it is necessary to understand such privilege and reject ideas of material items as undiluted symbols of a culture. Edwards, Gosden, and Phillips argue that it is not even possible to consider “pure forms” of societies or objects.¹⁵⁸ This relates to the earlier discussion of how Canadians are creating new narratives around objects that are already themselves quite complicated. “... [We] need to think in terms of circulations, sequences, transfers, translations, displacements [and] crystallisations.”¹⁵⁹ They use the phrase “social biography” to present an approach that;

... posits a fundamentally dynamic understanding of objects that both is linked to and foreshadows the notion of agency ... In a biographical model, objects cannot be understood in terms of a single, unchanging identity ... but rather by tracing the succession of meanings attached to them as they move across space and time ... This model ... address[es] the inherent instability of the meanings attached to objects ...

Here, objects like dress must be embodied in order to achieve a sensorially full analysis.

“Visualism has imposed a linearity on the biographical model that limits its productivity.”¹⁶⁰

They argue that, “While the senses are the means by which the human body perceives and responds to the material world, the critical nexus they form around material culture has yet to be adequately described ...”¹⁶¹

As an anthropologist, an archaeologist, and an art historian, Edwards, Gosden, and Phillips come from fields where material culture has been a central method of inquiry since the 1960s.¹⁶² *Sensible Objects*, almost a decade before Plate’s *A History of Religion in 5 1/2 Objects*, considers it an assumed truth that bodies and objects need each other. “... A deep mutuality

¹⁵⁸ Edwards et al., 12.

¹⁵⁹ Edwards et al., 12.

¹⁶⁰ Edwards et al., 13.

¹⁶¹ Edwards et al., 2.

¹⁶² Edwards et al., *Sensible Objects*, 11.

exists between our sensory apparatus and material things ... the sensory and the material call each other into existence ...”¹⁶³ Speaking to colleagues in their fields, Edwards, Gosden, and Phillips are able to push for a far more nuanced understanding of the lenses Western academics bring to the study of material culture. Their focus is on museums as the primary institution for material collection, interpretation, and presentation, but once again their remarks can equally apply to academic inquiry. They not only rebuke museums for their colonial tendencies, but point to the ways the same institutions have the potential to be sites of new and more appropriate approaches.

As key modern institutions that order and control world cultures, [museums] have imposed Western classifications of knowledge and hierarchies of the senses on the objects within their walls. As sites of resistance and self-expression, however, they also embody the two countervailing tendencies within modernity ... Out of this inherent contradiction could come a movement, as yet unformed, that might restore to museum objects sensory dimensions that were suppressed through colonial encounters.¹⁶⁴

This may seem like overreaching, but *Sensible Objects* thoroughly and convincingly substantiates their claims that the, “... privileging and reproduction of Western hierarchies of the senses ...” played a fundamental role in the construction of colonialism and its lasting legacies.¹⁶⁵ “Colonialism was profoundly material ...”¹⁶⁶ They argue that;

... colonialism was experienced through multiple forms of sensory perception. Distinctions of hierarchy, class, and caste were created and represented not only through clothing, buildings, representational forms, and the organization of the landscape, but also through the formation of new conventions and distinctions around food, odors, sounds, and the bodily contacts in which material objects were, and continue to be, entangled. Indeed, both colonial and indigenous categories were often generated viscerally, out of responses of desire or disgust that could mutate in different kinds of social relations.¹⁶⁷

¹⁶³ Edwards et al., 5.

¹⁶⁴ Edwards et al., 17-18.

¹⁶⁵ Edwards et al., 18.

¹⁶⁶ Edwards et al., 3.

¹⁶⁷ Edwards et al., *Sensible Objects*, 3.

It is not difficult to see the straight line from these legacies to the categories Canadians generated viscerally in response to religious dress in public. While religious studies and human rights scholars may be more attuned to colonial repercussions than the average Canadian, neither academic nor private citizen has much understanding of the connection between this and the relationships between body, sensory awareness, and cultural praxis. “It is precisely the denial of this kind of embodied engagement with the world that emerges as problematic ...”¹⁶⁸ Strong and at times oppositional reactions of aversion and acceptance to embodied religious practices constitute demarcators of identity.¹⁶⁹ Our instinctual reactions to smells, clothes, and practices are shaped by colonial hierarchies of the senses going back centuries. “The senses are political. ... The politics deriving from the senses are especially obvious to all parties in colonial situations where different constructions of the world through the senses clash or mingle.”¹⁷⁰

Once again, this is a mutual (though not equal) exchange. In the nineteenth century, the Sikh turban came to represent a favourable relationship between Punjabi Sikhs and the British Empire in South Asia. Twentieth century Sikhs carried this history with them to Canada, expecting fellow citizens of the Commonwealth to recognize their narrative. Canadians, however, carried a different colonial story and many viewed the turban with disdain. This legacy was rooted in the superiority of European civilization and a general mistrust of “brown men.”

The mistrust of these men in turn informs how many Westerners view veiled Muslim women. The differences between Islam and Sikhism are immaterial in the purported treatment of their women. The lasting legacy of Rudyard Kipling’s *The White Man’s Burden* continues to

¹⁶⁸ Edwards et al., 6.

¹⁶⁹ Edwards et al., 17.

¹⁷⁰ Edwards et al., 24.

inform what literary theorist Gayatri Chakravorty Spivak called, “white men saving brown women from brown men.”¹⁷¹ This is evident in the case of a Muslim Pakistani woman asserting her agency to wear a niqab.¹⁷² In the words of Edwards, Gosden, and Phillips, “An understanding of the senses and their continual reordering helps throw extra light on the complicated histories of colonial relations in modernity.”¹⁷³ This all informs how we construct identities, personally and collectively.

The senses are fundamental to personhood. Who we are and how we construct ourselves in varying social situations depends upon the comportment of our bodies and their actions of production and consumption. . . . Large-scale units, such as the state, are constructed in the image of personhood. Although the state exists at a larger level than the senses, the body and its senses are still materialized through the state.¹⁷⁴

In her book *Material Christianity: Religion and Popular Culture in America*, historian and religious studies scholar Colleen McDannell provides an important corrective to the general assumption that the state we now live in is increasingly secular and non-material.

By looking at material Christianity, we . . . see little evidence that American Christians experience a radical separation of the sacred from the profane. If we look at what Christians *do* rather than at what they *think*, we cannot help but notice the continual scrambling of the sacred and the profane. Likewise, by focusing on material Christianity we can no longer uncritically accept the secularization model.¹⁷⁵

The hierarchy of the senses to which our society ascribes — privileging ideas and what we can “know” through seeing — makes it difficult to interpret its very self (let alone other societies and cultures in its midst). This is certainly the case with religious dress. Canadians may consider

¹⁷¹ Gayatri Chakravorty Spivak, “Can The Subaltern Speak?” *Die Philosophin* 14 No. 27 (2003): 42-58.

¹⁷² Spivak, “Can The Subaltern Speak?,” 42-58.

¹⁷³ Edwards et al., *Sensible Objects*, 17.

¹⁷⁴ Edwards et al., 24.

¹⁷⁵ Colleen McDannell, *Material Christianity: Religion and Popular Culture in America*, (New Haven: Yale University Press, 1995).

themselves unattached to dress or materiality, but when the RCMP uniform was “challenged” the reaction strongly suggested otherwise. Joanne Entwistle explains that codes of dress that may seem invisible are exposed when they are violated.¹⁷⁶ McDannell takes issue with the way, “... the material dimension of American religious life is not taken seriously ...”¹⁷⁷ She points to the established dichotomy between the sacred and the profane, and between spirit and matter. Such a view, “... constrains our ability to understand how religion works in the real world. In spite of the difficulty of defining ‘religion,’ scholars and theologians frequently accept a simple division between the sacred and the profane. They also see an evolutionary, modernizing trend that has caused Western societies to become increasingly secular.”¹⁷⁸ Focusing on the material culture that shapes American Christianity she challenges this polarity where she,

... [sees] complicated and interactive relationships between what has been called the sacred and the profane. To focus exclusively on the binary opposition between sacred and profane prevents us from understanding, rather than enabling us to understand, how Christianity works. ... The material dimension of Christianity shuttles back and forth so frequently between what scholars call the sacred and the profane that the usefulness of the categories is disputed.¹⁷⁹

Echoing Edwards, Gosden, and Phillips, McDannell argues that, “Buying Bibles ... wearing religious clothing, and owning religious bookstores have been ignored because scholars deem these practices less spiritual or authentic.”¹⁸⁰ Yet it is through such practices that we gain greater insights into many minority communities in North America. McDannell uses Mormons to demonstrate how their religious garments embody their dual identities.

Mormons believe they are different and non-Mormons usually agree. At the same time, Mormons act in ways indistinguishable from other middle-class

¹⁷⁶ Joanne Entwistle, “Fashion and the Fleshy Body: Dress as Embodied Practice,” in *Fashion Theory*, 4 no. 3 (2000), 324.

¹⁷⁷ McDannell, *Material Christianity*, 4.

¹⁷⁸ McDannell, 4.

¹⁷⁹ McDannell, 8.

¹⁸⁰ McDannell, 8.

Americans. They ... [value] education, family life, hard work, economic independence, and authority as all good Americans should. ... Garments represent a specific theology and history ... Saying that garments are like Roman collars or yarmulkes is like saying that a Mormon is like a Catholic or a Jew. Some Mormons want to be simultaneously inside and outside the religious mainstream. They treasure their unique set of beliefs and practices but they also want to blend into middle-class America.¹⁸¹

This is certainly true of the three case studies in this dissertation. Sikh, Muslim, and Mennonite Canadians tend to be communities that exemplify “good Canadian values” — focus on family, education, hard work, and service to the local community.¹⁸² At the same time, each community has practices and beliefs that set them apart from the mainstream which they do not wish to shed.

Dress

What objects could be more directly tied to beliefs, social behaviours, and cultural values than the clothes and accessories people wear? Clothing speaks of a host of meanings, both subtle and overt, and is layered with such insights. Scholars need only ask the questions. Dress provides an important picture of the daily lives of individuals and their communities.¹⁸³ It is such a fruitful area of research simply because it has so many meanings related to identity, status, power, and protest, while its very nature is malleable.¹⁸⁴ There is, however, a lasting scholarly bias against its study given that it is a predominantly female genre related to a holdover prejudice against

¹⁸¹ McDannell, *Material Christianity*, 206.

¹⁸² Mennonites are traditionally wary of education, and while this is still true in more conservative and separate sects, mainstream Mennonites have moved in the other direction with many earning advanced degrees, becoming teachers, and opening Mennonite high schools and universities.

¹⁸³ It is helpful to clarify the terms fashion, clothes, and dress. Joanne Eicher transformed the field of textile/costume studies when she described dress as any practice to modify the body, including clothing but also encompassing body modifiers such as tattoos or accessories. “Fashion” and “clothes” are useful but more limited terms that are encapsulated under the “dress studies” umbrella. For more, see Joanne Eicher and Sandra Lee Evenson, *The Visible Self: Global Perspectives on Dress, Culture, and Society*, 4th Ed. (London: Fairchild Books, 2015).

¹⁸⁴ Karen Tranberg and D. Soyini Madison, eds. *African Dress: Fashion, Agency, Performance* (London: Bloomsbury, 2013), 2.

“women’s work.” Edwards, Gosden, and Phillips explain this as “the impact of the disembodied rationalism of Western discourse [because it] constitutes a masculine theory of knowledge in opposition to a more embodied and multisensory ‘female’ approach to the world.”¹⁸⁵ While material culture as a field of inquiry is largely overlooked, its subgenre dress has a particularly low position. Scholars often consider “fashion” to be a frivolous topic and not worthy of serious intellectual enquiry.

This has not stopped the field from greatly expanding in the last few decades. Joanne Entwistle is renowned for arguing that phenomenology enables studying dress as material culture that is a situated bodily practice. She bridges the gap between theories of the body (which tend to overlook dress) and theories of dress (which tend to ignore the body). She argues that this gap results in a complete oversight of the “*dressed body*” as a phenomenological field. “Either the body is thought to be self-evidently dressed (and therefore beyond discussion) or the clothes are assumed to stand up on their own, possibly even speaking for themselves without the aid of the body. And yet the importance of the body to dress is such that encounters with dress divorced from the body are strangely alienating.”¹⁸⁶

This is, in part, because dress as materiality has an inherently symbiotic relationship with the body that gives it meaning. Daniel Miller emphasizes dress as an active force that constitutes and imagines states of being while drawing connections between people.¹⁸⁷ Jennifer Craik draws on Entwistle, explaining that wearing clothes activates them, “just as bodies are actualized by the clothes they wear.”¹⁸⁸ The dressed body then encounters space, and both shapes and is shaped by

¹⁸⁵ Edwards et al., *Sensible Objects*, 7.

¹⁸⁶ Joanne Entwistle, “Fashion and the Fleshy Body,” 333, 325-326.

¹⁸⁷ See Daniel Miller, ed. *Materiality* (Durham: Duke University Press, 2005)

¹⁸⁸ Jennifer Craik, *The Face of Fashion: Cultural Studies in Fashion* (London: Routledge, 1994), 16

it. This is why it is so important to study dress as a situated bodily practice. Elizabeth Wilson and Entwistle examine how the body and dress interact dialectically. Dress gives the body social meaning, while the body gives life to dress.¹⁸⁹ “Understanding dress in everyday life requires understanding ... how the body is experienced and lived and the role dress plays in the presentation of the body/self.”¹⁹⁰

Our clothes do not simply shield our concepts of modesty, or protect us from the elements, nor do they just reflect the physical body. Dress embellishes, adding a host of meanings to our physical presentation that would otherwise be absent.¹⁹¹ Dress is “the key link between individual identity and the body.”¹⁹² The dressed body mediates between the inner self and the surrounding society.¹⁹³ This situated bodily practice is embedded within social spaces and identities, and any study of it requires acknowledging “the ways in which both the experience of the body and the various practices of dress are socially structured.”¹⁹⁴ Dress establishes identities in a world where these are uncertain, and in everyday life acts as the symbol through which we are read and read others, however inconclusive and subjective these readings are.¹⁹⁵ It acts as the visible embodiment of our intentions.

This study requires balancing the representational aspects of dress, the ways dress and the body are enmeshed in power relationships, and how individuals use dress to situate themselves

¹⁸⁹ Entwistle, J. and E. Wilson, “The Body Clothed.” In *A 100 Years of Art and Fashion*, (London: Hayward Gallery, 1998).

¹⁹⁰ Entwistle, *Fashion and the Fleshy Body*, 344.

¹⁹¹ Entwistle, 324.

¹⁹² Entwistle, 337.

¹⁹³ Karen Tranberg and D. Soyini Madison, eds. *African Dress*, 2.

¹⁹⁴ Entwistle, *Fashion and the Fleshy Body*, 344.

¹⁹⁵ Entwistle, 337.

within a social world, since dress is a crucial part of articulating personal identity.¹⁹⁶ If we only view dress as a one-way process where a person reacts to external influences then we miss a significant part of the practice. Lifestyle, social location, and conventions certainly influence what people consider to be their own. These processes of simultaneous internal and external creative tensions result in vibrant articulations of dress performance.¹⁹⁷

To understand dress practices it is necessary to understand that it is the result of both social influences and individual preferences. Regionally changing interactions within and between cultures interact to create new understandings and performance of dress.¹⁹⁸ To outsiders, many people in immigrant communities (particularly women) are not integrating into Canadian culture because they continue to wear their “traditional” dress. While many ethnic and religious minorities do work to keep their culture and traditions alive through dress, studying these examples reveals a much more complex situation.¹⁹⁹ Zunera Ishaq practices a form of hijab that leaves everything but her eyes veiled. While this manner of dress is closely linked in many Western imaginations with her native region, her family’s practices and social location within Pakistan are far removed from it. Baltej Singh Dhillon was willing to let the opportunity to be an RCMP officer go before he was willing to remove his turban. While he was (and remains) a practicing Sikh, his determination came from a promise to his dying father. Mennonite women simultaneously occupied positions as Canadian insiders and outsiders, and their community used their dress to maintain the latter.

¹⁹⁶ Entwistle, *Fashion and the Fleshy Body*, 344, 338.

¹⁹⁷ Karen Tranberg and D. Soyini Madison, eds. *African Dress*, 1.

¹⁹⁸ Tranberg and Madison, 2.

¹⁹⁹ Heather Marie Akou, “More Than Costume History: Dress in Somali Culture,” in *Dress Sense: Emotional and Sensory Experiences of the Body and Clothes*, (Oxford: Berg, 2007), 16.

Jennifer Craik explains that clothes are a means by which “individuals and groups learn to be visually at home with themselves in their culture.”²⁰⁰ Dress standards make bodies decent, appropriate, and acceptable while turning them into recognizable and meaningful forms for a particular context.²⁰¹ Naturally, what is appropriate varies widely according to a culture, or even a situation within one culture. A person generally knows to dress differently attending a wedding than shopping for groceries. Scholars such as Entwistle have thoroughly charted the censure individuals experience who do not dress according to what is considered appropriate within their context. This, of course, extends to “others” who live within a new or different cultural context. “Bodies that do not conform, bodies that flout the conventions of their culture and go without the appropriate clothes are subversive of the most basic social codes, and risk exclusion, scorn or ridicule.”²⁰² At the same time, breaking these codes of conduct draws attention to these often invisible or unstated protocols. “Everybody knows,” and so it does not need to be said, that it is inappropriate to wear a swimsuit to a funeral. That is, until someone shows up in swim trunks and the group responds. Most people adhere to this social pressure and are embarrassed to make mistakes, such as realizing one’s fly is undone in public. Religious minorities frequently draw attention to these conventions in the act of breaking them, such as those surrounding women and modesty.

Canadian society generally pays attention to how much flesh one may appropriately expose in a given situation, particularly for women. Entwistle uses the example of how the small amount of fabric a bikini includes makes a female body appropriately “decent” on a North

²⁰⁰ Jennifer Craik, *The Face of Fashion*, 10.

²⁰¹ Joanne Entwistle, *Fashion and the Fleshy Body*, 323.

²⁰² Entwistle, 324.

American beach, while the same item in a boardroom (or on a man) would be deemed completely inappropriate. Entwistle charts how exposing naked flesh is disruptive to the social order.²⁰³ Religious minority dress often challenges these norms in the opposite direction by wearing “too much” fabric, as in the case of the niqab or turban. Reina Lewis argues that “modesty double standards” reinforce hierarchies of status, ethnicity, and gender.²⁰⁴ Entwistle contends that bodies that do not conform to cultural conventions of how much flesh one must not (and I argue *must*) show, especially those conventions that include gender, “are potentially subversive and are treated with horror and derision.”²⁰⁵ Since then, the boundaries of the body’s presentation are dangerous, it becomes necessary to manage dress through social regulation and moral pronouncements. Mary Douglas examines how this creates “two bodies” within the relationship between an individual’s body and the social forces that press in on it.²⁰⁶ The dressed body, then, becomes a symbol of its cultural location, and functions symbolically to articulate the values and anxieties of particular groups.²⁰⁷

This social locatedness shifts for men and women, even within the same context. Ways of walking, moving, sitting, and so on, are embedded as different for men and women as cultures inscribe male and female bodies with inherently gendered narratives.²⁰⁸ Social pressures encourage us to remain within the boundaries of what those around us consider “normal” and

²⁰³ Joanne Entwistle, *Fashion and the Fleshy Body*, 324.

²⁰⁴ Reina Lewis, ed. *Modest Fashion: Styling Bodies, Mediating Faith*, (London: I.B. Tauris, 2013), 10.

²⁰⁵ Entwistle, *Fashion and the Fleshy Body*, 324.

²⁰⁶ See Mary Douglas, *Natural Symbols: Explorations in Cosmology*, (London: Barrie & Rockliff, 1970); and *Purity and Danger: An Analysis of the Concept of Pollution and Taboo*, (London: Routledge and Kegan Paul, 1984).

²⁰⁷ Entwistle, 327.

²⁰⁸ Joanne Entwistle, *Fashion and the Fleshy Body*, 328.

“appropriate” presentation, thereby managing identity through dress.²⁰⁹ Making dress “mistakes” are not simply the embarrassment of a social *faux pas*, “but the shame of failing to meet the standards required of one by the moral order of the social space.”²¹⁰ Thus, our embodied dress practices are not so much individualistic as they are “the aggregate of individual behaviour.”²¹¹ Because dress both touches our bodies and faces outward toward others, it encapsulates and enables both individual and collective identities. Yet, when these two collide, dress quickly becomes a flashpoint for conflicting values.²¹²

Dress, then, has strong social and moral dimensions that constrain the clothing choices people make.²¹³ Elizabeth Wilson critiques the discourses of choice around women’s dress practices — particularly regarding hijabistas — arguing that “choice” is a foundational myth of consumer culture, affecting everyone regardless of their personal beliefs.²¹⁴ An overemphasis on free expression misses the structural constraints of gender and social location that serve as parameters around dress choice.²¹⁵ Individuals develop a “feel” for what to do, interpreting (both consciously and unconsciously) the rules, at times improvising around them.²¹⁶ Therefore, while dress is socially located, it is important to remember that individuals are also active in their engagement with it. While many times we dress automatically, at other times we dress with great attention and intention.²¹⁷ While dress choice is always defined within a particular context, we

²⁰⁹ Entwistle, 338.

²¹⁰ Entwistle, 338.

²¹¹ Entwistle, 339.

²¹² Karen Tranberg and D. Soyini Madison, *African Dress*, 2.

²¹³ Entwistle, *Fashion and the Fleshy Body*, 338.

²¹⁴ Elizabeth Wilson in Reina Lewis, ed. *Modest Fashion*, 9. A *hijabista* is a hijab wearing fashionista.

²¹⁵ Entwistle, *Fashion and the Fleshy Body*, 341.

²¹⁶ Entwistle, 340.

²¹⁷ Entwistle, *Fashion and the Fleshy Body*, 338.

adapt it to our lived experiences. It is not pre-determinative because it is not possible to know in advance what form dress in everyday life will take. This is precisely because the complex interactions of these various experiences and locations enable individuals to create and adapt to particular circumstances. Therefore, in the words of Entwistle, “dress as lived practice is the [sole] outcome of neither oppressive social forces on the one hand, nor agency on the other.”²¹⁸

Religious Dress

Ethnic minorities, religious minorities, and women all experience greater scrutiny of their agentic capacity, however, than their counterparts, and nowhere is this more evident than in matters of religious dress. First, though, it is necessary to understand the specific research subgenre of religious dress. While not studying religion, Quentin Bell uses religious terms to describe the importance of clothes: “our clothes are [so deeply] a part of us ... [it’s] as though the fabric were indeed a natural extension of the body, or even of the soul.”²¹⁹ Linda Woodhead argues that while scholars (and I would say specifically scholars of religion) have ignored fashion, the evidence leaves little doubt that “fashion choices are central to the religious lives of many people.”²²⁰ However, she also notes that dress in our society is coded as trivial, “in contrast to ‘real’ religion which has to do with the extraordinary, sublime, transcendental and other-worldly ... the spiritual rather than the bodily ...”²²¹ McDannell emphasizes the way, “Those who use non-literary means of expressing ideas about the supernatural and its relationship to the

²¹⁸ Entwistle, 341.

²¹⁹ Quentin Bell, *On Human Finery*, (London: Hogarth Press, 1976), 67.

²²⁰ Linda Woodhead, “Foreword” in Reina Lewis, *Modest Fashion: Styling Bodies, Mediating Faith*, xvii.

²²¹ Woodhead, “Foreword,” xviii-xix.

everyday world have not been considered fully ‘adult’ Christians. ... These ‘weak’ Christians who require physical ‘aids’ are separated from ‘strong’ Christians who grasp spiritual truths directly.”²²² Due to its low status, however, fashion and dress (particularly within religious systems) has become a predominantly female sphere, but this also means that they have become sites of female autonomy and creativity, where women can act as leaders.²²³ It is an area where it is easy to find women acting on religion and in religious ways. This does not, however, mean that men are not also part of this system, as the case of Baltej Singh Dhillon and his turban demonstrate.

When scholars do address fashion (often in fields such as textile studies, women’s studies, fine arts, or anthropology) there is rarely sufficient acknowledgement of the centrality of religion in these individuals’ lives beyond boundary control. This project differs from many others in its goal: to understand the ways religious minorities use dress to communicate their goals, beliefs, and values in a secular arena. Doing so upsets two conventions: the first is generally accepted as outmoded, that of what religion “is,” where it is located, and who its influential actors are. The second is a widespread secular conviction that “women who dress modestly for religious reasons are passive victims of patriarchal religious traditions,” rather than “liberated agents of their own self-determined pathways of fulfilment.”²²⁴ Yet religious minority dress is an ideal location to examine the reproduction and negotiation of normative gender scripts, and creative navigation of public spaces. A religious minority’s dressed body reveals

²²² McDannell, *Material Christianity*, 8.

²²³ Woodhead, “Foreword,” xviii.

²²⁴ Woodhead, “Foreword,” xx.

“how gender materializes onto bodies,” actions that help construct notions of idealized femininity and masculinity (in both the religious and secular spheres).²²⁵

People use clothing to communicate, but it is “inherently polysemic and open to interpretation by different wearers and observers.”²²⁶ This is particularly evident in ongoing public debate over what religious dress is publicly “acceptable.” Exploring these case studies provides insights into how these communities and individuals navigate through and around social and moral codes. The goal of this project is to put these overtly religious clothes and accessories into the context of self-advocacy, identity creation, and performance. While codes of dress undeniably include elements of control and pressure, both conscious and unconscious (and this is in no way limited to religious dress), much is already written on this, especially on religion’s role in such systems.²²⁷ Indeed, the public imagination most often associates overtly religious dress with oppressive structures and restriction, particularly of women’s bodies. External observers lack the cultural familiarity or knowledge necessary to distinguish between various forms of religious dress, particularly when outsiders read them as similar (ie. the differences between a Sikh turban and the Muslim kalansuwa).²²⁸

That method of inquiry is already amply addressed, and this is not an expository work on all the aspects of a particular manner of dress. Rather, it adds a corrective to the field, arguing that the modes of religious dress have an often overlooked yet substantial and profound effect on

²²⁵ Joanne Entwistle, “Gender on Display: Performativity in Fashion Modelling” in *Cultural Sociology* 7, no. 3, (2012), 321.

²²⁶ Reina Lewis, ed. *Modest Fashion*, 3.

²²⁷ See for example, Malcolm Barnard, *Fashion Theory: An Introduction*, (Abingdon: Routledge, 2013); Diana Crane, *Fashion and its Social Agendas: Class, Gender, and Identity in Clothing*, (Chicago: University of Chicago Press, 2000); Joanne B. Eicher, ed. *Dress and Ethnicity: Change Across Space and Time*, (Oxford: Berg Publishers, 1999); and Susan B. Kaiser, *Fashion and Cultural Studies*, (London: Bloomsbury Academic, 2013).

²²⁸ Lewis, *Modest Fashion*, 4.

Canadian society. Adherence to and promotion of human rights is now a sacrosanct social Canadian value. Religious minorities, such as Mennonites, Sikhs, and Muslims, both tap into this value and challenge it further. This has important repercussions for policy makers, politicians, legal professionals, religious communities, and private citizens. Religious dress is a language that communicates cultural and social messages. Likewise, it is a topic that is at the heart of current debates over what it means to be Canadian. As much as these clothes are material objects, they are also concepts.

In their book *Clothing as Material Culture*, anthropologists Daniel Miller and Susan Kuchler explain that, “The sensual and aesthetic — what cloth feels and looks like — is the source of its capacity to objectify myth, cosmology and also morality, power, and value.”²²⁹ Though they use non-religious language, they affirm McDannell’s position that, “... we see integrity in the complex interweaving of what can rarely be separated out into distinct material and social domains. [Our] underlying claim is that such transcendence represents a certain maturity of perspective, one that recognizes the various disciplines and forms of expertise and seeks to bring these together within the larger project of academic understanding.”²³⁰ They critique studies that reduce dress, “... to its ability to signify something that seems more real — society or social relations — as though these things exist above or prior to their own materiality.”²³¹ In other words, “... There is no simple boundary or distinction between persons and their environment.”²³² A hijab, for instance, can be tied a certain way to represent the wearer’s aesthetic preferences, or to keep her hair out of her eyes. It protects its wearer from the sun, or a cold Canadian winter breeze. A child can play with her mother’s hijab, or hide behind

²²⁹ Susanne Kuchler and Daniel Miller, eds., *Clothing as Material Culture*, (Oxford: Berg Publishers, 2005), 1.

²³⁰ Kuchler and Miller, 1-2.

²³¹ Kuchler and Miller, 2.

²³² Kuchler and Miller, 15.

its ends in the safety of her mother if she is feeling shy. Speaking of a sari, Miller and Kuchler explain its own agency: “We see the [item] not simply as the cover of the individual but as the mediation between the individual and that which lies outside them, their child, their kitchen, their office workers.”²³³ This approach is, “... often closer to the way peoples in many parts of the world understand themselves and struggle with the relationship between what they regard as the spiritual and material aspects of their lives.”²³⁴ Like Edwards, Gosden, and Phillips, Miller and Kuchler argue that, “... We simply cannot assume that the way Western philosophy and conversation uses these concepts will necessarily apply to any other society.”²³⁵ How people understand themselves and their dress, “... has an impact on how individuals relate to themselves, to others, and to wider issues such as the nature of rationality or modernity.”²³⁶

While she too affirms nuance and transcendence, religious dress scholar Linda B. Arthur takes a different approach. In her book, *Religion, Dress, and the Body*, she argues that, “Dress provides distinction between the sacred and the profane, particularly in the symbolic separation of an ethno-religious subculture from the dominant society.”²³⁷ Her emphasis is more on borders and boundaries, and how dress marks and enforces these distinctions.

Symbols, such as dress, help delineate the social unit and visually define its boundaries because they give non-verbal information about the individual. Unique dress attached to specific cultural groups, then, can function to insulate group members from outsiders, while bonding the members to each other. Normative behavior [sic.] within the culture re-affirms loyalty to the group and can be evidenced by the wearing of a uniform type of attire.²³⁸

²³³ Kuchler and Miller, *Clothing as Material Culture*, 15.

²³⁴ Kuchler and Miller, 2.

²³⁵ Kuchler and Miller, 3.

²³⁶ Kuchler and Miller, 16. This is an interesting point to take into consideration alongside Entwistle’s emphasis on the importance of embodiment for dress performance.

²³⁷ Linda B. Arthur, *Religion*, 1.

²³⁸ Arthur, *Religion*, 3-4.

While Arthur is discussing conservative religious groups, I argue this is what the broader, “secular” Canadian society does. It attempts to exert social control of minorities through dress — what is normative and what is acceptable. “Through symbolic devices, the physical body exhibits the normative values of the social body.”²³⁹ As discussed earlier in reference to dress as an agent of control, Arthur examines how “sacred dress of religious groups is used in a social hierarchy of religiosity to facilitate social and ideological agendas,” and while this is certainly evident in the religious groups in these case studies, this is also true of dress that is not overtly “religious” (such as the Mountie Stetson, or an uncovered woman’s face).²⁴⁰

As Entwistle explained earlier, “respectability” plays a role in the practices of the social body. We read dress to determine whether a person is worthy of our respect. The uncoded rules that determine what is appropriate for individuals to wear in a given place, “... are almost as rigid as grammatical rules.”²⁴¹ Through their wearing apparel, people can say subtle but important things that they would not or could not utter directly; indeed, they may not be consciously aware of the message themselves.²⁴² Costume historian Linda Baumgarten, curator of textiles and costumes at Colonial Williamsburg, uses the example of a well tailored eighteenth century man in silk and bright white linen. Such a man, “... probably would not say aloud, ‘I’m richer than you are and I don’t have to perform dirty physical labor’; his clothes reveal his wealth and leisure in a much more socially acceptable way.”²⁴³

This is not limited to a colonial gentleman and is certainly as clearly communicated in the modern day with workers’ overalls or Wall Street power suits. There is a scene in the film *The*

²³⁹ Arthur, *Religion*, 3.

²⁴⁰ Arthur, *Religion*, 6.

²⁴¹ Baumgarten, *What Clothes Reveal: The Language of Clothing in Colonial and Federal America* (Williamsburg, VA: The Colonial Williamsburg Foundation and Yale University Press: 2002), 54.

²⁴² Baumgarten, 56.

²⁴³ Baumgarten, 56.

Pursuit of Happyness, based on the real-life experiences of Chris Gardner, where Chris (played by Will Smith) arrives for his interview for a competitive and prestigious stockbroker internship wearing paint-splattered work clothes. The situation was unavoidable for him, but he is painfully aware of how inappropriately he is dressed. The viewer intuitively shares his intense discomfort without any explanation necessary from the script. We all *know*, without being told, that those around him consider his outfit inappropriate and disrespectful, and that he will not receive the same respect as the men in suits.²⁴⁴ Workers' clothes, however, (in the proper setting) imbue their wearer with another form of respect. This is an individual who *works*, and ours is a society that values hard work. The clothes of people living on the street gives others permission to see past them; the majority are not expected to respect them. The "appropriateness" of dress is inherently contextual.

When religious minorities bring their sensibilities around what is proper into the public discussion it challenges these norms, even if most people do not recognize them as unarticulated standards. Indeed, dress in part has such power because it goes beyond what language can communicate. "Humans may use clothing to carry messages that go beyond the communicative capabilities of spoken language. When, in 1993, Sikh veterans were denied entry into a Surrey, British Columbia Royal Canadian Legion hall because they would not remove their "hats," discussions of respect were at the heart of the dispute. The western veterans felt that the Sikhs were being deeply disrespectful to the honoured dead, because in Canadian society men remove their hats as a sign of respect. The Sikhs felt that the Legion was disrespecting them and not honouring their sacrifices as veterans."²⁴⁵

²⁴⁴ Christopher P. Gardner, *The Pursuit of Happyness*. Directed by Gabriele Muccino, 2006.

²⁴⁵ Tu Thanh Ha, "Sikh veteran Jauhal, who battled Legion over turban rights, dies." Toronto: *The Globe*

Dress may be commonplace, but it is far from vacuous or insignificant. Baumgarten describes clothing as, "... the most intimately human ..." of material cultures.²⁴⁶ Dress' messages can be "subtle and unclear," and "shift with time and place."²⁴⁷ But, in line with Edwards, Gosden, and Phillips, Baumgarten points out that, "... spoken and written communications can be misunderstood, too, because words have meanings only insofar as human beings assign them and agree on the linguistic rules."²⁴⁸ Baumgarten explains that the task of reading dress, "... becomes more difficult when looking back in time."²⁴⁹ I would argue that it is equally difficult looking across cultures and religions. A woman's hijab is an overt message, but with complicated and overlapping multiple meanings. Even its most overt: "this is a Muslim woman" is often misread. Despite these challenges, as Arthur articulates, "... Dress functions as an effective means of non-verbal communication during social interaction; it influences the establishment and projection of identity."²⁵⁰

Arthur has a firmer delineation than the other scholars in this chapter, but she also works with the complexity and intersectionality of dress. She considers how religious groups use, "the metaphor of appearance ... to simultaneously express religiosity, ethnicity and gender norms," and her work "... draws attention to the complexity of meanings surrounding dress and to the ways that bodies can be read as communicating social and religious values."²⁵¹ She focuses on the way dress visually exhibits the acculturation and assimilation of indigenous people and

and Mail. June 28, 2016.

²⁴⁶ Linda Baumgarten, *What Clothes Reveal: The Language of Clothing in Colonial and Federal America* (Williamsburg, VA: The Colonial Williamsburg Foundation and Yale University Press: 2002), 52.

²⁴⁷ Baumgarten, *What Clothes Reveal*, 54.

²⁴⁸ Baumgarten, 54.

²⁴⁹ Baumgarten, 56.

²⁵⁰ Arthur, *Religion*, 3.

²⁵¹ Arthur, 1, 6.

immigrants, and how much dress embodies identity.²⁵² She draws, "... connections between the ways in which identity, visually manifest in dress, expresses values — religious on the one hand and cultural on the other."²⁵³ Studying dress opens a window into the social world of communities. "... Dress can visually manifest the salient ideas and concepts fundamental to a culture; what dress does is to make tangible the basic categories a culture uses to define its particular conception of reality."²⁵⁴ In another book, *Undressing Religion: Commitment and Conversion from a Cross-Cultural Perspective*, Arthur makes a point crucial to this dissertation; like Entwistle she articulates that dress represents, "... sometimes concurrently, both agency and control."²⁵⁵ Too often Canadians see religious dress and interpret it through the lens of control. Once again, this is certainly part of the narrative, but it too often becomes the *whole* narrative, and for this reason I leave its discussion to the works I previously listed. Taking a page from Edwards, Gosden, and Phillips, I would argue that the dress is not merely "representative." However, Arthur clearly demonstrates that, "... dress provides evidence of both adaptation to cultural change and expression of religious identity."²⁵⁶

Human rights theory and material culture studies may not immediately come to mind as obvious partners, but the one informs and affects the other to a greater degree than even the disciplines' scholars seem to have noted. If religious practice hierarchies produce and consolidate secularity, and if religious practice hierarchies presuppose any operative notions of religion in public space, then by necessity the idea of a religiously neutral nation is a myth. It then becomes necessary to understand the ways the antagonism religious dress provokes is

²⁵² Linda B. Arthur, *Undressing Religion: Commitment and Conversion from a Cross-Cultural Perspective* (Oxford: Berg, 2000), 5.

²⁵³ Arthur, 1.

²⁵⁴ Arthur, 4.

²⁵⁵ Arthur, 3.

²⁵⁶ Arthur, 1.

intertwined with how Canada understands itself in relation to diversity and human rights. Such is this dissertation's objective.

CHAPTER THREE

The Ontario Swiss Mennonite Bonnet Debate, 1910-1925

In the early 1920s, Helen Shantz was a young woman attending Wanner Mennonite Church in Cambridge, Ontario. In a 1984 interview she recalled, “Well, we were having trouble at Wanner’s ... the last year you see [because] our girls down there were not wearing bonnets.”²⁵⁷ When Bishop Gingerich — a man at the centre of the tension — came to Wanner to administer communion Helen and her friends were sitting on a bench second to the front, and they were not wearing bonnets. Helen was at the end of the row. She remembers her father looking over at her. “I could just tell [he was thinking] ‘What’s she going to do now?’ ... I stood up and as soon as I did that the whole group of girls - Edna Snyder, Emma Snyder, the whole row ... they all got up in a body. [Bishop Gingerich] couldn’t turn us down. It was too many.”²⁵⁸ She knew she was making a conscious decision to publicly challenge what Bishop Gingerich had just declared from the pulpit — that those who wore hats instead of the traditional Mennonite bonnets could not take communion. Helen, however, was unfazed. “... Our hats were plain and another thing ... it wasn’t his to give. This is the Lord’s supper.”²⁵⁹ Helen and her friends used their hats and the communion ritual to perform a public statement of faith, and resistance to the church’s established wisdom.

This chapter examines how, during World War I and after, Mennonite groups used the metaphor of appearance (particularly the prayer bonnet) to express conformity to their church, unity, boundary maintenance, and gender norms while simultaneously communicating non-conformity to the larger society, causing disunity, pushing boundaries, and challenging gendered

²⁵⁷ Helen Shantz, *Stirling Avenue Mennonite Church Oral History Project*, May 27, 1984. In Mennonite Archives of Ontario.

²⁵⁸ Shantz, interview.

²⁵⁹ Shantz, interview.

expectations. These factors all help to define a person's social location, and became visible markers of the group's enforcement of a particular manner of dress representing community membership. In the case of the Swiss Mennonites in Ontario the prayer bonnet reinforced cultural and religious systems in order to communicate their separateness from the world around them, demonstrating how some minority groups actively seek for other Canadians to see them as "different." The male church leadership primarily, though not exclusively, used women's bodies as the site of this non-conformist identity.²⁶⁰ These particularities amongst a pacifist German group in the midst of the then-largest war effort ever undertaken caused Mennonite non-conformity to come to the fore in non-militarism. This ensured they were, indeed, unpopular outsiders, though the church had ongoing challenges throughout the First World War demonstrating that they were "other" enough to warrant exemption from the draft. Since the exercise of the group right to be exempt from military service depended solely on belonging to the Mennonite community, strong identity markers, boundary markers, and conformity took on greater significance.

Symbols such as the bonnet help to outline a social group, visually defining the community boundaries by giving non-verbal information about the individual.²⁶¹ Dress scholar Linda B. Arthur explains that, "symbols operate beneath the conscious level and often cannot be verbally articulated."²⁶² As a result, people often engage in symbolic behaviour, particularly with regard to dress, without consciously understanding why. Members of subcultures may perform symbolic work by deploying cultural artifacts, including dress, to mark their groups' boundaries

²⁶⁰ Marlene Epp, "The 'Dress Question' Among Ontario Mennonites: 1898-1960" Master's Thesis, University of Waterloo, Waterloo, 1990, Milton Good Library.

²⁶¹ Arthur, *Religion*, 1.

²⁶² Arthur, 4.

while registering their internal belonging.²⁶³ “Fossilized fashion” is when a group “freezes” a style, wearing it long after it is outmoded in the general population.²⁶⁴ Conservative religious sectarian groups most often employ this, using fossilized fashion as a visual symbol of separation and/or traditional gender roles for women. It occurs among groups that find change threatening, such as among Mennonites in the midst of massive societal upheaval in early 20th century North America. It is an example of what Pamela Klassen observes as, “... the lines of worldliness ... often arbitrarily but meticulously drawn in the contours of women’s bodies.”²⁶⁵ Since dress, though, is a reflection of both the internal and the external, it is a mistake to assume these women were passive victims of patriarchy without any social assertiveness.

Dress provides distinction between the sacred and the profane, particularly in the symbolic separation of an ethno-religious subculture from the dominant society, often tied to patriarchy and social control of women.²⁶⁶ While this is a significant part of the Mennonite head covering debate of the early 1900s, the Canadian Mennonites are not simply an interesting example of a quite common phenomenon wherein men control the powers and privileges of women by forcing them to wear costumes that interfere with their ability to carry out certain tasks or inhabit certain roles. The situation was more complex, with the internal debate over the bonnet reflecting larger community concerns around boundary maintenance.²⁶⁷

²⁶³ See Kate Luck, “Trouble in Eden, Trouble with Eve: Women, Trousers and Utopian Socialism in Nineteenth Century America.” In Juliet Ash and Elizabeth Wilson (eds), *Chic Thrills: A Fashion Reader*. London: Pandora., 1992.

²⁶⁴ Arthur, 2.

²⁶⁵ Pamela Klassen, “What’s Bre(a)d in the Bone: The Bodily Heritage of Mennonite Women,” *The Mennonite Quarterly Review* 68 (April 1994): 238.

²⁶⁶ Arthur, *Religion*, 5.

²⁶⁷ In terms of rights, it is worth noting that Mennonites did not think in terms of “rights,” but in terms of “privileges,” for which they fully expected to be required to make sacrifices. I discuss this situation in the framework of “rights” in order to situate it within the larger discussion of this dissertation surrounding minority groups and rights in Canada. For a thorough discussion of Mennonites’ perceptions about and approaches to government, see Ted Regehr, *Peace, Order & Good Government: Mennonites & Politics in Canada* (Winnipeg: CMBC Publ., 2000).

This chapter is a case study of the debates over Swiss Mennonite head coverings in Ontario in the 1910s and 1920s, examining the role the head covering played as a vehicle for communicating separateness, and the internal divisions this created. Men were not trying to regulate women's appearance solely to control their bodies (although this element was certainly present), but to enforce group-specific separation through their women's particular dress. Put differently, this chapter is less concerned with men's intention to keep women in their place, and is more focused on the male leadership's desire to keep their whole community — men and women — separate from the encroaching mores of a dominant society *through* control of women's appearance. As Sherry Ortner argues in *The Virgin and the State*, "male-defined structures represent themselves and conceptualize their unity and status through the purity of their women."²⁶⁸

Mennonite Identity

In order to understand the dynamics of the head covering debates of the 1910s and '20s it is necessary to contextualize it within Mennonite ethnic and ideological history, church structure, and the importance of pacifism to Mennonite beliefs. In an effort to maintain their conscientious objector status, and women's roles within the community, church leaders appealed to traditional values, non-conformity to the surrounding militant and "immoral" world, and unity with and conformity to their Mennonite community.

The Mennonite Church began in Switzerland in 1525, growing out of Anabaptist reformers — a minority part of the Protestant Reformation.²⁶⁹ Unpopular with both Catholics and

²⁶⁸ Sherry Ortner, "The Virgin and the State" in *Feminist Studies*. (4) 3, 1978, 22.

²⁶⁹ The term "Anabaptists" began as a pejorative against reformers who only believed in adult baptism. Their

Protestants, Mennonite identity quickly developed as a martyred people separate and apart from the rest of society. After several decades of fierce debates, Menno Simons emerged as the leader of the movement (hence the name Mennonites), and pacifism became a key tenet of Anabaptism. Simons argued that, with Christ at the centre of biblical hermeneutics, believers had to consider what he had taught about warfare, violence, and vengeance. As Anabaptist historian Arnold Snyder explains, “Christ left us an example, that we should follow, said Menno; He was minded to suffer, and so must all Christians be minded, overcoming their foes with the spiritual sword of the Word of God. The literal words and the concrete example of Jesus’ life became the central ethical measures ...”²⁷⁰

Article 18 of the Mennonite Confession of Faith (which all Mennonites must affirm in order to become members of the church) spells this out directly:

We believe that it is the will of God for His children to follow Christian love in all human relationships. Such a life of love excludes retaliation and revenge. God pours His love into the hearts of Christians so that they desire the welfare of all men. The supreme example of nonresistance is the Lord Jesus Himself. The teaching of Jesus not to resist him who is evil requires the renunciation by His disciples of all violence in human relations. Only love must be shown to all men. We believe that this applies to every area of life: to personal injustice, to situations in which people commonly resort to litigation, to industrial strife, and to international tensions and wars. As nonresistant Christians we cannot serve in any office which employs the use of force. Nor can we participate in military service, or in military training, or in the voluntary financial support of war. But we must aggressively, at the risk of life itself, do whatever we can for the alleviation of human distress and suffering.²⁷¹

opponents called them “re-baptizers” (anabaptists), but the movement adopted the term as their own. It now encompasses several historic peace churches, including Hutterites, Amish, Brethren in Christ, and Mennonites.

²⁷⁰ Arnold Snyder, *Anabaptist History and Theology: Revised Student Edition*, (Kitchener, ON: Pandora Press, 1997), 294.

²⁷¹ Mennonite Church Canada, “Mennonite Confession of Faith, 1963,” accessed at <http://home.mennonitechurch.ca/1963-confession>.

It is also important to note here that, in keeping with Anabaptist tradition, Mennonites do not become members of the church until they are adults. They must choose to join, affirm the confession of faith, and be baptized into the community of believers. Their lives after baptism is expected to reflect their commitment to Christ and their community. These are all direct factors in the head covering debate of the early 20th century.

Due to decentralized power, persecution, and migration, Mennonites are a very diverse group. Swiss Mennonites and Russian Mennonites are the two main groups in North America today. The Swiss came first, to William Penn's "holy experiments," the religiously tolerant Colony of Penn (later Pennsylvania) in 1683. After the American Revolutionary War (when their pacifist stance put them at odds with the larger population), many moved to what is now Southern Ontario, seeking less expensive land and preferring British rule.²⁷² The first Russian Mennonites arrived in the 1880s when Russia began revoking minority rights. These c. 8000 immigrants included people from the Bergthal, Old Colony, and Kleine Gemeinde communities.²⁷³ A second and larger group arrived in the 1920s in the wake of the Russian revolution. Each community, or *ordnung*, decides matters of faith for itself with no overarching central authority, although each church belongs to a Conference, and the Conference relates to the larger church body. Each Mennonite community has its own particular history and cultural markers, which in turn become traditions of religious significance. This became particularly true of the Swiss Mennonite bonnet.

²⁷² Despite their anti-monarchist ideology and belief in communal authority, the Mennonites preferred the stability of the British monarchy. This is understandable given their tumultuous past with revolutions in Europe.

²⁷³ *The Encyclopedia of Canada's Peoples*, s.v. "Arrival and Settlement," Multicultural Canada. From: *The Encyclopedia of Canada's Peoples/Mennonites/Harry Loewen*. <http://multiculturalcanada.ca/Encyclopedai/A-Z/m6/3>.

History is very close to the surface for Mennonites, and ethnic heritage plays a very large role in Mennonite communal- and self-identity.²⁷⁴ The head covering controversy of the 1910s and '20s was the contemporary platform to argue recurrent ideologies and tensions. Mennonite identity as a group separate and distinct from “the world,” rooted in their pacifism and fiercely gripping their ethnic heritage — while simultaneously trying to downplay their “Germanness” during World War I — shaped the contours of this debate. As Pamela Klassen states, “Debates about the ethnically marked categories of dress, language (e.g. German or English), and social activities (e.g. dancing, card-playing, movie-going) were central to definitions of separation from the world for both Swiss and Russian Mennonites.”²⁷⁵

Mennonite Headcoverings

Whether or not Mennonite women have always worn a particular religious head covering is itself a matter of debate. Pictures of Anabaptist women in the *Martyr's Mirror* show them both with and without head coverings.²⁷⁶ All of the women in Sorgh's picture of Dutch Mennonite Jacob Bierens and family (1633) are wearing white caps. Rembrandt's 1641 painting, *The Mennonite Minister Cornelis Claesz Anslo* includes his wife wearing a white cap. Jacob

²⁷⁴ For a discussion of the many aspects that make up Mennonite identity, see Harry Loewen, *Why I Am a Mennonite: Essays on Mennonite Identity* (Kitchener, ON: Herald Press, 1988). Royden Loewen also writes extensively on this in *Village Among Nations: "Canadian" Mennonites in a Transnational World, 1916-2006* (Toronto: University of Toronto Press, 2013).

²⁷⁵ Klassen, *What's Bre(a)d in the Bone*, 230. The details are beyond the scope of this case study, but it is worth noting that there are many different Mennonite groups, each with its own overlapping but distinct history. Within Ontario alone there are at least forty different groups (see Marlene Epp, *Mennonites in Ontario: An Introduction* (Waterloo, ON: Mennonite Historical Society of Ontario, 2002). The bonnet debate discussed here is limited to the Swiss Mennonites and did not include the other major group, the Russian Mennonites (or Ruslanders).

²⁷⁶ Melvin Gingrich, *A History of Mennonite Costume*, (Goshen, IN: unknown pub, 1964), 38. The *Martyr's Mirror* is a hallmark publication of Anabaptist history. Published in 1660, the 1290 page book is an anthology of Christian martyrdom. See Nanne van der Zijoo, Harold S. Bender, and Richard D. Thiessen, s.v. “Martyr's Mirror,” in *Global Anabaptist Mennonite Encyclopedia Online*, March, 2009, <http://gameo.org/encyclopedia/contents/M37858ME.html>.

Eicholtz's 1815 painting, *A Lancaster Mennonite Woman* depicts a similar head covering. In fact, all women in Eicholtz's paintings from Lancaster County wear such caps, including his Lutheran mother. The only difference is the lace with which non-Mennonite women edge their caps. This is not particularly surprising, however, as women in North America and Europe did not generally appear in public with uncovered heads until the 20th century. Under Henry VIII the law forbade unmarried women from wearing caps and instead instructed them to don a kerchief.²⁷⁷ While this law relates most directly to the difference between married and unmarried women's head coverings (a practice that ebbed and flowed throughout the centuries), it indicates the general assumption of covered female heads. Obviously the practice was not unique to Mennonites, who often adapted the practice to simpler standards. This is characteristic of Anabaptist styles generally. They were usually against extremes of fashion and advocated for simplicity of dress. Mennonite styles were usually "the world's fashions minus the superfluities," and often expressed a ten- to fifteen-year time lag.²⁷⁸ This was both related to the ideal of simple attire and the reality that most Mennonites were farmers — a group that for practical and economic reasons would not adopt more fashionable clothes. However, what it meant to "dress simply" was generally a matter of individual preference within community norms.²⁷⁹

The Swiss Mennonite church in the early 20th century insisted on wearing a prayer bonnet on top of the traditional white mesh prayer cap. This practice was markedly and intentionally particular to the Swiss Mennonite community. Church authorities were unconcerned that this covering was not biblically based. Traditionally, Mennonites viewed intellectuals and biblical

²⁷⁷ Earle, *Two Centuries of Costume in America*, 582.

²⁷⁸ Sharon Ann Burnston, *Fitting & Proper: 18th Century Clothing from the Collection of the Chester County Historical Society* (Texarkana, TX: Southwest Printers & Publishers, 1998), 2.

²⁷⁹ In a 19th century portrait, Mrs. William Sanor (a member of the Mennonite Church in West Township, Columbiana County, Ohio) is wearing a cap with lace around the edges extending down to her chin. Melvin Gingrich, *A History of Mennonite Costume* (Goshen, IN: unknown pub., 1964).

interpretation with suspicion and believed that, through the priesthood of all believers, scripture was readily accessible to all Christians. Linked to this belief is a reliance on the community to interpret and discern spiritual matters as a collective. While each member has a say in the group's understanding, this practice results in a church authority where the individual surrenders her beliefs to those of the community when they do not align. Until the 1960s Mennonites also elected bishops. Intended as an egalitarian practice where church elders selected bishops in the biblical manner of drawing lots, bishops wielded a great deal of power and were at the centre of the head covering debate in the early 1900s. Not surprisingly, after the initial radical fervour of the 16th century and its corresponding female preachers, women could not hold such positions of authority.

Non-Conformity and Boundaries

Non-conformity and separation from the world were central tenets of Mennonite theology, and their religious dress identified them as “other.” In addition to visibly demonstrating a community's particularity, controlling dress effectively regulates a community. Unique dress associated with a specific cultural group insulates the members from outsiders, while reinforcing the bond amongst them.²⁸⁰ As historian Marlene Epp explains, “The plain bonnet ... was not only ‘the most consistent and appropriate protection’ to wear with the covering, and most adhered to biblical principals of modesty and nonconformity, but the surrender of the bonnet invariably was ‘the opening wedge’ for the loss of Mennonite separation in general.”²⁸¹ When Mennonites could no longer rely on geographic isolation to ensure their community boundaries,

²⁸⁰ Arthur, *Religion, Dress, and the Body*, 4.

²⁸¹ Marlene Epp, “The ‘Dress Question’”, 33.

and as language no longer acted as a barrier to wider society, the leadership emphasized the third device of separation: plain dress — particularly the bonnet. By the early 1920s, clothing symbols were a crucial part of non-conformity. Separation became metaphorical as it manifested through women's bodies. Since almost every Mennonite attended church activities it was difficult to objectively evaluate a person's faith and commitment to the community in this way, so symbolic measures served as a substitute. Since a Mennonite woman's primary task was to live a godly life as a devoted Christian, the community considered appearance as an external manifestation of internal attitudes. The church leadership therefore looked for signs and symbols of a woman's spirituality and commitment to her community. They used appearance — particularly the distinctive Mennonite bonnet — as a visual cue to analyze a woman's non-conformity, and thereby her spiritual state.²⁸² Dress (then and now) marks distinction between insiders and outsiders.

During World War I, separation from the militaristic world around them took on heightened importance. This carried into and expanded in the 1920s, when dress was a way not only to distinguish from broader North American society, but also other Christian denominations that were attractive to young Mennonites. The rise of fundamentalism within North American Christianity turned the emphasis toward inner conversion that showed itself through a pure life, rather than what one wore on the outside. Rather than adapting to these trends and acknowledging, as other Christian denominations did, that women could be "good Christian

²⁸² Linda B. Arthur, "'Clothing is a Window to the Soul': The Social Control of Women in a Haldeman Mennonite Community." *Journal of Mennonite Studies* 15,(1997): 13-17.

girls” while wearing hats, the Mennonite church doubled-down on its message of non-conformity to the world (and thereby alignment with God) through women’s dress.²⁸³

Mennonites’ foundational belief structures were based on community, simplicity, humility, isolation, and conformity to community standards, and their dress reflected this. Since community life was valued above the needs of the individual, individual pride was unacceptable. Individualism would disturb the tranquility of an orderly community, and fancy decoration on the person would be a direct indication of pride. Mennonite women believed in this ideal as strongly as their male brethren, which in part explains why the bonnet debate never took the form of women’s autonomy. While women in similar demographics who were likewise moving to factory and domestic work developed strong senses of self-determination, Mennonite women rejected what Linda Woodhead calls autonomization, or considering the self to be the most reliable source of decision-making authority.²⁸⁴ In fact, when women spoke out against the church leadership’s emphasis on the bonnet they often framed their opposition in terms of the church leader (such as Bishop Gingerich in Helen Shantz’s anecdote) putting his own interpretation above the group understanding of God or ritual. In this way, these Mennonite women demonstrate a situation common throughout these case studies: the marriage between self agency (ie. publicly speaking out against unequal application of dress standards) and the social control that shapes both the form of this agency (adhering to a patriarchal church model) and the embodiment of the dress practice (no one opposed headcoverings outright). Mennonite women’s dress made them stand

²⁸³ Laureen Harder Gissing, *Risk and Endurance: A History of Stirling Avenue Mennonite Church* (Waterloo, ON: Waterloo Printing Company Ltd., 2003), 34 ff.

²⁸⁴ Linda Woodhead, “Apophatic Anthropology” in *God and Human Dignity* (Cambridge: Wm. B. Eerdmans Publ. Co., 2006).

out as visibly and culturally different from everyone else around them, emphasizing their particularity. Communicating this intentional separateness, Mennonite women adhered to the tradition's practice of shunning materialism and embracing practical action that was of benefit to the larger community rather than the needs or desires of the individual.²⁸⁵

This community control goes beyond attire itself to restraining women's thoughts. Klassen argues that, "The dogged efforts to control women's experiments with dress — their donning of fashionable hats or fancy wedding dresses, their refusal to wear the covering — were attempts to repress imaginative fantasy among Mennonite women about what the 'world' might offer."²⁸⁶ She continues, "Hence separation from the world ... often fed a stereotyping of women outside the community ... as sexually lascivious, impure, and immoral in their 'worldliness.'"²⁸⁷ Klassen analyzes Epp's work, discussing how she demonstrates dress rules as "directly related to the potential corruption of the church as threatened by emancipated and fashionable women."²⁸⁸

Mennonites may have been a separate community, but they were fully aware of the shifting roles of other women around them. And like the larger society, their opinions varied. In her January 14, 1915 diary entry First Mennonite Church member Susannah Cressman wrote, "Went out to Sim Brubaker's to Young Peoples Literary, a large meeting. Debate on Women's Suffrage ... S.F. Coffman critic."²⁸⁹ Other entries make similar passing references. While it does not take up a great deal of space in her diaries, women's suffrage had Susannah Cressman's attention, and she seems to have been in favour of it. Coffman's critique of the movement fits in well with his stance on the bonnet.

²⁸⁵ Lynne Hume, *The Religious Life of Dress* (London: Bloomsbury, 2013), 37-47.

²⁸⁶ Klassen, *What's Bre(a)d in the Bone*, 240.

²⁸⁷ Klassen, 230. Connecting a woman's dress with her morality was not new. The terms (still in use today) "loose" and "straight-laced" to refer to a woman's personality and sexual morals comes from describing how a woman chose to wear her corset in the 19th century. See Entwistle, *Gender on Display*, Pp. 330-331.

²⁸⁸ Klassen, 238.

²⁸⁹ Susannah Cressman diaries. January 14, 1915.

Dress and Gender Roles

Like most of their Christian contemporaries, Mennonites at the turn of the 20th century believed that male power was divinely ordained. This patriarchy was rooted in their biblical hermeneutics, and the divinely ordered hierarchy included general acceptance of male authority. While externally communicating a woman's loyalty to her community, internally the head covering served to symbolize a woman's submission to God, to men in general, and to her husband in particular. It was a visible token of gender performance — a woman who accepted the community's dress signified acceptance of female submission and appropriate female behaviour.²⁹⁰ In a treatise on the topic from the early 20th century, Paul Miller wrote, "Now God says that refusing to take the symbol of subjection is as shameful as abandoning virtue."²⁹¹ The head covering served as a marker of a woman's femaleness. For a woman to remove her head covering was a symbol of a subversive sexuality.²⁹² The bonnet, then, was repetitious production of gender, since gender requires "doing" and not passive being.²⁹³ This reproduction of normative gender scripts requires active embodiment of individuals, as opposed to passive inscriptions of power onto the body.²⁹⁴ The women in this case study were not seeking to remove their headcovering. They simply set aside the particular and cumbersome Conference bonnet in favour of more conventional hats. Those opposing them saw no difference. Hats were vainglorious, of the world, and a threat to non-conformity.

²⁹⁰ Arthur, "Clothing is a Window to the Soul", 14-15.

²⁹¹ Paul M. Miller, *The Prayer Veiling: An Expository Study of 1 Corinthians 11:2:16* (Scottsdale, PA: Herald Press, 1956), 11.

²⁹² C.F. Destine, *Ancient and Modern Idolatry: Fashionable Attire* (Eureka, IL: unknown publ., 1920).

²⁹³ Entwistle, *Gender on Display*, P. 321, 329.

²⁹⁴ Entwistle, P. 340.

Similar dress practices exist in modern Holdeman Mennonite communities where, “the uniform attire of Holdeman women attests not only to separation from the external society, but separation of the sexes. This important distinction is rooted in the perception of natural gender differences that underly their patriarchal social system.”²⁹⁵ In both cases dress was more restrictive for women than for men, placing the onus on women to maintain tradition. In this case, the pressure was not only for the continuation of customs, but to ensure that the larger Canadian society understood Mennonites were different. The bonnet was an indirect and highly visible marker of the community’s separation. In the words of textile scholar Lynda Boynton Arthur, “The minute details of a woman’s appearance include a hierarchy of symbols.”²⁹⁶ For early 20th century Mennonites some symbols were negotiable and some were not to be altered. Through personal control (both formal and informal) women were constrained by each other, by men in general, and by church leaders in particular.²⁹⁷

Mennonite historian Lorna Bergey reflects on this dynamic:

Early in life I became aware that the women in my Mennonite church family were expected to symbolize non-conformity to the world by our dress. ... [T]he period from 1925 to 1950 was the most conservative period of uniform dress in [the] group. This would also apply to Ontario. However in Ontario it would apply mainly to *women’s* apparel.²⁹⁸

Clara Bechtel Shantz of Cambridge, Ontario agreed. “They [the men] could wear the ordinary things and we had to wear the plain things.”²⁹⁹ Lillian Snyder spoke for many Mennonite women when she expressed the resentment this unequal application of plain dress created: “I always

²⁹⁵ Arthur, “Clothing is a Window to the Soul,” 15.

²⁹⁶ Arthur, 17.

²⁹⁷ Arthur, 17.

²⁹⁸ Lorna Bergey, personal reflections, *Mennonite Archives of Ontario*. Hist. Mss. 1.151.

²⁹⁹ Clara Bechtel Shantz, interview by Richard Neff, *Fairview Mennonite Home Oral History Project*. Mennonite Archives of Ontario, tape recording, August 6 and 19, 1979.

thought there was a differentiation that wasn't quite fair. The men ... could have the best kind of cloth in their suits and be very well dressed. But the women were supposed to abide by a pattern, a very plain pattern of dress. And of course a headdress that matched. A Mennonite woman was very easily recognized as a Mennonite."³⁰⁰

It was not, however, that men did not have their own dress distinctions. Men's clothes (like women's) were a combination of tradition, Conference regulations, and contemporary fashions. Mennonite dress, for both men and women, was often simplified or outdated styles. For instance, when S.F. Coffman arrived in Ontario in 1895 to assume a pastorate he was surprised to find many older women of the church still wearing beaver hats. Beaver as a millinery material had almost entirely disappeared by 1840 (sparking a massive economic and social shift in what soon became Canada). This time lag was not limited to women's styles. Mennonites had never condoned the button down fly on men's pants since its emergence in the early 18th century, preferring broad falls. Broad falls are essentially pants with a horizontally hinged flap held closed by three buttons on the waistband, with a fall that extends from hip to hip. Broadfalls were almost entirely replaced with front flies by World War I, except among Mennonites and other plain dress churches who considered front closure flies immodest and too easily accessible. Coffman wore broadfalls until his death in 1954. The style was unpopular among young Mennonite men, however, who preferred the button fly and later the zipper fly when it became fashionable in the mainstream during and immediately after World War I.³⁰¹

Likewise, there was an informal distinction between clergy and laymen's dress (particularly young laymen). A sack coat with a turn down lapelless collar came into general

³⁰⁰ Lillian N. Snyder, interview by Richard Neff, *Fairview Mennonite Home Oral History Project*. Mennonite Archives of Ontario, tape recording, July 30, 1979.

³⁰¹ J. Gottfred, "Making Men's Pants," *Northwest Journal* 6 (2002): 32-37, <http://www.northwestjournal.ca/VI6.htm>.

fashion in the late 18th century. Mennonite ministers and deacons continued to wear this style well into the 20th century, while the Conference strongly encouraged its laymen to do the same.³⁰² The coat that buttoned to the chin without lapels came to be known as a “plain coat” or “regulation coat” in Mennonite circles. It was to male Mennonite identity what the bonnet was to women’s. However, the church leadership was far less interested in enforcing this dress standard. There were certainly no investigative committees looking into the matter of young men who did not wear the plain coat, nor any church schisms over the matter as there were for women’s bonnets. This unequal enforcement did not represent indifference, however. As Mennonite dress historian Melvin Gingerich explains,

In the period from about 1914 to around 1950 many efforts were made to persuade Mennonite men ... to adopt this style of coat and it was made mandatory for ministers in most districts ... In 1914 the Indiana-Michigan Mennonite conference advised its brethren to wear the “regulation clothing,” and two years later declared that the ministry should wear the “regulation coat.” Mennonite General Conference in 1917 agreed that “all who occupy positions of influence in the church should wear the plain garb which for the men was the ‘plain suit.’” In the following year the Ontario conference favored the wearing of “the regulation coat by the brethren.” ... During the next two decades the Lancaster, Franconia, Southwestern-Pennsylvania, ... the Alberta-Saskatchewan and the Pacific Coast conference likewise demanded that the ministers wear them and encouraged the laity to wear them.³⁰³

These conferences now felt it necessary to enact these regulations because the weight of tradition, which had previously maintained the custom of wearing the lapelless coat, no longer carried the same influence. The requirement was successful among ministers, but only among a very few laymen. Gingerich states, “There thus came to be a double standard with the ‘plain coat’ thought of as a preacher’s coat. The presence of this double standard of dress caused

³⁰² Gingerich, *A History of Mennonite Costume*, 10.

³⁰³ Gingerich, *A History of Mennonite Costume*, 11.

[problems] because in Mennonite circles the clergy and laity are not to be thought of as two classes but rather the congregation is to be regarded as a brotherhood where all are on the same level.”³⁰⁴ This difference led ministers to largely abandon the plain coat by the mid-20th century.

The plain coat was not the only piece of male dress to cause tension. In 1902 the Virginia Conference cautioned its men against “flashy neckties.”³⁰⁵ In 1920 they restricted any church official from wearing a tie, and in 1941 they sought to extend this to all men of the conference (although it was not an official ban, just a general discouragement). Similar restrictions occurred in several mid-western, western, and Canadian conferences.³⁰⁶ Photos of ministers in those decades, including those of S.F. Coffman, show men in lapelless coats and bow ties. The new necktie regulations were a result of some young Mennonites who traveled to churches around North America arguing for precise dress codes, “in order to stop the drift toward conformity to the world’s fashions.”³⁰⁷ Dress remained a primary concern for worldly non-conformity, although not all Mennonites agreed with this approach. John F. Funk, editor of the prominent Mennonite publication *Herald of Truth* wrote a vociferous opinion piece on the matter in which he argued:

We read of some people who got greatly blessed of the Lord by taking off their neckties. We can readily see the origin of the necktie consecration. Some dude whose diminutive soul was wrapped up in his necktie must of course give up his idol in coming to God. Then he takes out a patent on the leadings incidental to his peculiar infirmities and starts out with his patent gospel. He makes an issue upon his necktie, gets up a fight, and when the party surrenders that point he is in harmony with the spirit of the leader and is endorsed as saved and feels greatly blessed. This kind of religious teaching is on the same ground the Dr. made a success of in his practice. He knew what would cure fits, and so

³⁰⁴ Gingrich, *A History of Mennonite Costume*, 11.

³⁰⁵ Gingrich, 22.

³⁰⁶ Gingrich, 22.

³⁰⁷ Gingrich, 23.

gave everybody he was called to see something to throw them into fits, and then cured the fits and of course he was a great doctor.³⁰⁸

The necktie was undesirable in two ways: 1) it was an unnecessary and potentially ostentatious article of clothing that demonstrated an internal drift toward conformity to the world, and 2) it was a lewd and immodest item, acting as a visual arrow toward a man's genitalia and potential for fornication. The tie and front fly are noteworthy as two unusual cases where men's clothing concerns were overtly related to male sexuality and modesty. For women, however, these concerns regularly steered the discussion concerning their dress.

While the Mennonite church focused so heavily on women's bonnets, there was not the same biblical foundation for men to cover their hair, nor a New Testament enjoinder to cover one's head while praying. This did not mean that the brethren's heads were entirely ignored, however. In 1915 the Missouri-Iowa Conference discouraged men from wearing crimped hats or derby hats. In 1919, and later again in 1928, the Virginia Conference warned against "fashionable caps."³⁰⁹ Some conferences did not adopt specific regulations but strongly encouraged its men not to "conform" or adopt "worldly fashions." In other words, Mennonite leadership was interested in what hats its men wore, but out of concerns over non-conformity and simplicity — not sexual modesty, submission, or group status. This is not surprising as there was neither the biblical nor cultural framework for such a foundation, as there was with women. Likewise, while men and women are (obviously) both embodied, cultural associations do not see men embodied in the same way as women. "Male bodies are taken for granted or rendered invisible ... [and thus] men are embodied, but the experience of embodiment is often left out of accounts of

³⁰⁸ John F. Funk, *Herald of Truth*, 1891, 231.

³⁰⁹ Gingrich, *A History of Mennonite Costume*, 14.

masculinity.”³¹⁰ That is, unless the male body refuses to conform, whether by wearing a zippered fly or a turban with a Mountie uniform.

Textile scholars note that when gender roles are stable for long periods of time they can be marked with a particular form of dress. Expect a change in dress styles when gender roles change suddenly within these groups.³¹¹ Similarly, limited gender roles are reflected in women’s dress restrictions, either in dress codes or physically hindering clothing.³¹² During World War I, women throughout North American society adopted roles and careers previously unavailable to them. After the war, “many resented the return to ‘womanly’ duties which limited their activities to the home and related social functions ... Their rebellious feelings were to be reflected in the manner in which they dressed ...”³¹³ Mennonite and other Christian leaders saw these changes as a direct affront to what they considered God’s law. For many church leaders the common understanding of “God — Christ — Man — Woman” made the prayer cap indispensable: “God has chosen to employ visible means to preserve awareness of this divinely conceived arrangement ...”³¹⁴ Cutting one’s hair into the stylish new bob, or simply leaving it uncovered, signified a woman’s subversion of her divinely ordained place in creation. “Christians need to constantly beware lest the request to limit [the head covering’s] observance might be tainted with the contemporary ‘suffraget’ [sic] mentality which resents God’s plan for man’s headship ...”³¹⁵

³¹⁰ Joanne Entwistle, *Gender on Display*, 343.

³¹¹ G. Bush and P. London, “On the Disappearance of Knickers: Hypotheses for the Functional Analysis of the Psychology of Clothing,” *American Journal of Sociology*, 51, no.2 (June 1960): 359-377.

³¹² Arthur, *Religion, Dress and the Body*, 5.

³¹³ Constance Eileen Collard, *Women’s Dress in the 1920s: An Outline of Women’s Clothing in Canada During the “Roaring Twenties”* (Burlington, ON: self pub., 1981), 5. Ironically, the fashion of the twenties (while undeniable more revealing) was in many ways more modest than the preceding voluptuous styles. “The 1920s produced the postwar woman who appeared as a bosomless, hipless and thighless creature.” Collard, *Women’s Dress*, 15.

³¹⁴ Merle Ruth, *The Significance of the Christian Woman’s Veiling* (Crockett, KY: Rod & Staff Publishers, 1980), 11.

³¹⁵ Miller, *The Prayer Veiling*, 11.

Not only were these ideas blasphemous, they were dangerous to the survival of the community as a group visibly separate from the rest of Canada.

Dress and Morality

The Mennonite church expected women to bear the brunt of visual symbols of non-conformity, in part due to her “weaker” nature. A man did not require such strict control because he was not as easily led astray.³¹⁶ And yet, it was necessary for women to wear headcoverings to protect men from their own propensity toward lustful glances. While a bonnet does not conceal any part of a woman but portions of her hair (which is often associated with a woman’s sensuality), it (along with plain dress) signaled to the brethren that they were virtuous sisters — which in theory would stop any lustful thoughts before they started.³¹⁷ It certainly conveyed that this woman was a suitable choice as wife.

While modest dress works to cover a woman’s body and reduce its sexual associations, it can never entirely succeed because women constantly carry “the baggage of sexual meanings that are entrenched within the culturally established definitions of ‘femininity.’”³¹⁸ Church leaders understood this, and did not entirely deny that women themselves were capable of lust. Rather, they agreed that the degeneracy of immodest clothing — and of removing the religious head covering in particular — was an invitation to adopt a sinful lifestyle. In his 1900 tract, *Worldly Conformity in Dress*, A. Sims warns that, “Every woman that suffers herself to follow the

³¹⁶ Sherry Ortner discusses this further as an ongoing paradigm between women as pure versus women as polluters, and whether they are then dangerous or in need of protection. *The Virgin and the State*, 1987.

³¹⁷ In practice it could have the opposite effect when, as a visible reminder prohibiting sex, it in fact constantly reminded men of sex.

³¹⁸ Entwistle, *Fashion and the Fleshy Body*, 343.

fashions may rely upon it she is helping Satan to tempt her to pride and sin. She thus creates and fosters a flame of lust, leading to the worst crimes. In this way many women have been damned.”³¹⁹ As Sims indicates, any unsanctioned sexual encounter was the fault of the woman whose dress was immodest. William McGrath states this unequivocally in *Christian Woman’s Veiling*: “... women’s uncovered hanging hair are [sic] a major stimulus to male sexuality. No wonder rape and immorality rise as the veils disappear!”³²⁰ Clearly the myth that rape occurs in response to women’s supposed immodesty is not a new phenomenon. For Mennonites, the head covering protected men from themselves, women from men, the worst of themselves, and the devil. It simultaneously protected this small minority community from losing itself within a broader cultural framework.

Linked with increased crime rates, divorce, dancing, “dirty magazines,” and movies, “A decline in the modesty of women shows itself first in the apparel ... [This] decline ... is one of the most serious indications of moral — let alone spiritual — degeneracy.”³²¹ These concerns were not limited to the Mennonite community. The New York City Federation of Women’s Clubs expressed these anxieties in a 1920 open letter: “There was a time when the bad woman could be told from the good woman by her dress. For the last few years this distinction has been made impossible because sweet, pure girls have thoughtlessly adopted the same dress as the woman of the streets.”³²² J.H. Kellogg echoed this sentiment when he suggested, “wealthy women could do

³¹⁹ A. Sims, *Worldly Conformity in Dress* (Toronto: self-pub., 1900), 12.

³²⁰ William McGrath, *A Biblical and Historical Review of Christian Woman’s Veiling* (East Rochester, OH: Amish Mennonite Pub., 1986). Although this is an Amish publication from the second half of the century, it draws on the materials contemporary to the debate. In addition, it reflects sentiments expressed less colourfully in the earlier literature. Interestingly, McGrath also praises the Hindu and “Moslem” women for maintaining their veils.

³²¹ John Horsch, *Worldly Conformity in Dress* (Scottsdale, PA: Mennonite Publishing House, 1926), 17.

³²² Wallah Farmer, “Open Letter,” *New York City Federation of Women’s Clubs*, Feb. 26, 1920, quoted in Destine, *Ancient and Modern Idolatry*, 39.

more to our social evil by adopting plain attire than all the civil authorities by passing license laws or regulating ordinances.”³²³

Pacifism in World War I

Dress was not, however, Mennonites’ only means of overt non-conformity. Pacifism was (and remains) one of the most important and distinct ways for Mennonites to separate themselves from the surrounding society. Canadian Mennonites were caught off guard when World War I was declared in August 1914. Their national organization was weak, their young men were poorly educated on their community’s pacifist stance, and although the Canadian government granted them military exemption, conscription made their legal position tenuous throughout the war.³²⁴ In both organization and structure the Mennonites were not prepared to handle “the onslaught of federal legislation, administrative regulations and adverse public opinion which was about to burst upon them.”³²⁵ In Ontario, church leaders Noah Bearinger and Samuel Frederick (S.F.) Coffman were ill prepared to leverage their meetings with government to their best advantage.³²⁶ Many Canadians resented Mennonite men staying home while their family members went to fight overseas. A general suspicion of the Mennonite German heritage and language exacerbated the situation. As J.F.C. Wright explains, “Compulsory military service channeled a mounting resentment toward Mennonite sectarians who, before the turn of the century, had been exempted from military service by a government anxious to settle Canada’s prairie west with hard-working agriculturalists whether of pacifist persuasion or not.”³²⁷

³²³ J.H. Kellogg quoted in Derstine, *Christian Attire and its Influence* (location: publisher, date), 708.

³²⁴ Harder Gissing, *Risk and Endurance: A History of Stirling Avenue Mennonite Church* (Waterloo, ON: Waterloo Printing Company Ltd., 2003), 31.

³²⁵ Frank Epp, *Mennonites in Canada*, 366.

³²⁶ Harder, *Risk and Endurance*, 32.

³²⁷ J.F.C. Wright, *Saskatchewan: The History of a Province* (Toronto: McClelland & Stewart, 1955), 170.

Mennonites were acutely aware of societal suspicion of them. In 1917, the Ontario Mennonite Conference, along with the Brethren in Christ and Old Order Mennonites, created the Non-Resistance Relief Organization (NRRO), which raised \$80 000 to help alleviate war suffering. In addition, church sewing circles made quilts and bandages for the Red Cross.³²⁸ They intended to demonstrate Mennonite loyalty to Canada while not directly supporting the war, and simultaneously acting on a theologically based commitment to alleviate suffering.

Many young Mennonite men were in a difficult position. They held to their community's non-militarist ideals, but shared their compatriots' desire to act on behalf of their country and its cause. At the end of the war, Jacob Meyer, a young man from Kitchener, Ontario, wrote his feelings on the matter to a close friend in an alternate service camp in North Carolina:

I can readily see that you men who have been in camp realize very keenly the position of the Mennonite Church and are anxious that the church should do its full duty. And even if it doesn't you fellows propose to discharge what you consider to be your own particular obligations. . . . To discharge in a measure its obligations our church (throughout Ontario) is raising what is called a War Memorial Fund which is to be presented to the government. Then the government will have tangible evidence of our appreciation and continued loyalty. Now this is all very nice and yet I feel that as far as I myself am concerned the giving of a certain sum of money is not enough. And yet what am I to do? Unlike you there was no attempt made to coerce me. So if I would go on reconstruction work now it would look as if, having had an easy time at home during the war, I now go to France when the danger is over. In other words it would look as if I were hunting for nothing but the easy things in life. With you it is different as you applied and were anxious to go long ago. But altho [sic] I [thought] of it I didn't apply. Taking into consideration also the fact that the Canadian church is not contributing to the reconstruction cause I can scarcely apply now. I often wish that I had gone a year ago last June when I wanted to and yet I would have disregarded the wishes of the folks if I had done so. And so here I am.³²⁹

However, not all Mennonite men stood with their community's pacifism. For example, the city of Kitchener took great pride in the battlefield death of their founder's great-great-

³²⁸ Harder, *Risk and Endurance*, 32.

³²⁹ Jacob Meyer personal correspondence. January 12, 1919. Kitchener.

grandson Alexander Ralph Eby on March 20, 1915 — a direct descendant of Bishop Benjamin Eby.³³⁰ Herman Fast, a Saskatchewan missionary and teacher, came to Canada in 1901 to remove his sons from Eastern Europe's increasing militarism. But when World War I broke out his sons voluntarily enlisted. Nicholas Fast died at the battle of Vimy Ridge, and Ernest Fast contracted fatal tuberculosis in the trenches. While the majority of Mennonites remained pacifist, there was no church discipline against those who joined the war effort. At the Toronto Mennonite Brethren in Christ Church two young men and a minister enlisted but continued to attend and participate in Sunday service, even in uniform.³³¹ This, of course, is in sharp contrast to young women who wore hats instead of Conference-approved bonnets, and as a result were denied communion while their membership was called into question.

Confusion over who was a Mennonite exacerbated tensions with the public. In 1918, the *Ottawa Citizen* reported, "Fred Ivay struck a popular chord when he cried: 'Who are the Mennonites exempted under the original arrangement? ... We have nothing but the word of the several Mennonites, and there are exactly 16 branches. So who will undertake to solve the puzzle the problem presents?'"³³²

The Military Service Act exemption clause required a religious claim under a denomination that, as of July 6, 1917, included opposition to war as an essential tenet. Some tribunals applied this date not to the denomination as a whole (as the law intended), but to the individual in question and his membership status. As previously discussed, only those who were baptized and made a confession of faith were actually members of a Mennonite church. No

³³⁰ Frank Epp, *Mennonites In Canada*, 366.

³³¹ Epp, 369. During World War I, the MBIC church was still pacifist, but was moving away from this belief and were the most liberal regarding enlisted men. MBIC women did not wear the bonnet. By the end of World War II they had dropped the "Mennonite" from their name and were no longer pacifist.

³³² "Western Furor Over Exemption of Mennonites," *Ottawa Citizen*, September 25, 1918.

religious leader would have wished to expand that definition. However, there was a problem. As an Anabaptist church, Mennonite men did not typically get baptized until they were around 21. As a result many men were eligible for conscription before they were bona-fide members of a church.³³³ S.F. Coffman made an appeal to common sense, telling government officials, “No one ever intimated to me, nor tried to make me believe, that a young man whose father was a Mennonite all his life and belonged to the Mennonite church was not also considered a Mennonite.”³³⁴ Several Manitoba bishops released a statement challenging the public confusion: “Every one knew at the time of the last Dominion elections who were Mennonites and who were not. Neither the registrar nor the tribunal nor the public seem to know it now.”³³⁵

The church dealt with this challenge in two subtle ways: some congregations lowered their baptismal ages, while others quietly certified their young men whether they were baptized or not. This second practice became public and caused an outcry from other Canadians claiming bishops were, “turning many good-for-nothings into Mennonites.”³³⁶ Mennonite leaders attempted to calm the hostilities, explaining that they were in no way attempting to harbour traitors, and that they were fiercely loyal to Canada, but that rather their position was based on religion and not cowardice or sympathy for Germans. Rev. J.N. Kitching of the Toronto Mennonite Brethren in Christ stated that, “In the event of conscription, Mennonites might consent to dig trenches or drive teams but they would not kill. We would sooner die — sooner

³³³ Frank Epp, *Mennonites In Canada*, 380.

³³⁴ Epp, 380.

³³⁵ Epp, 381. He is referencing here an appeal to Mennonite voters in several ridings where they had large numbers in the previous election.

³³⁶ Epp, 381.

give our life blood — than take the life of a fellow man.”³³⁷ Neither were Mennonites interested in having others die on their behalf. The Manitoba bishops declared,

We do not depend for our living on the sustenance or efforts of others excepting as we give and take. We do not require any one to shed his blood for us. We would rather die ourselves or languish in prison or leave our home and again settle in some wilderness, the same as our forefathers have done, than to require a sacrifice of any kind by any one on our behalf.³³⁸

The Manitoba government, who felt that unbaptized young men did not qualify for exemption, called the bishops to Winnipeg to address the matter. To prove that unbaptized teenagers were not really committed pacifists, the authorities had Abraham Dyck of Lowe Farm taken into the barracks to demonstrate that he could be turned into a soldier. They demanded the bishops draw up a declaration — to be delivered in the presence of a lawyer — explaining the rules and regulations around the relationship of the church and its young people. Bishops Abraham Doerksen (Sommerfelder church) and Jacob Hoepfner (Bergthaler church) made a strong theological argument for nonresistance, referenced earlier agreements with the government, and explained the ecclesiastical organization of their community. They explained that children’s names entered the church registry the day of their birth; that they received pacifist education from their parents, their teachers, and their church; that baptism came after a young adult requested it around age 21, had made a public confession of faith, and after an intense period of instruction; and that in their theology God could also save unbaptized individuals.³³⁹

The bishops concluded,

Our *Gemeinschaft* has always considered its children and young people its own as much as the baptized members and petitions for exemptions from military service have always intended to include young people of military age whether they were baptized or not. Any assurances which provided for

³³⁷ Frank Epp, *Mennonites In Canada*, 369.

³³⁸ Epp, 381.

³³⁹ Epp, 382.

less than that would never have persuaded us to accept the invitation of the Canadian government to settle in this country.³⁴⁰

The government accepted the statement and immediately released Abraham Dyck. After that all Mennonites in Western Canada were exempt with simple proof of identity.³⁴¹ However, as late as September 25, 1918 district registrars in Ontario continued to insist Eastern Mennonites were not included in the exception, “and will be exempt only from combatant service.”³⁴² Moreover, on October 15, less than four weeks before the end of the war, the Governor-General-in-Council ruled that immigrant Mennonites and their descendants were not covered by the original 1873 Order-in-Council, and therefore, “shall not be deemed to be exempted from military service ...”³⁴³

This question of “who qualifies” in matters of identity and immigration appears repeatedly in the experiences of minority groups in Canada, including the sense that some people are “natural Canadians” while others are suspicious, inauthentic, or unassimilable. By World War I Swiss Mennonites had lived in Ontario for almost a century, so while other Canadians viewed them as “peculiar,” they considered them Canadian enough to be eligible for conscription. If some branches of Canadian government accepted the Mennonites’ legal defense of being exempt under the original 1873 agreement, then the Governor-General-in-Council was going to ensure that it did not apply to later arrivals, or their descendants born on Canadian soil.

One might think that the end of the war assuaged such tensions, but in fact the aftermath brought a hardening of opinion against Mennonite military exemption and immigration. In 1918, The Great War Veterans’ Association sent the following letter to Premier Borden:

³⁴⁰ Frank Epp, *Mennonites In Canada*, 382.

³⁴¹ Epp, 382.

³⁴² Epp, 382.

³⁴³ Epp, 384.

“Sir R.L. Borden, Premier,

The following resolution was passed at a General Meeting of this Association on the 17th instant:

‘This Association strongly protests against the action of the Dominion Government in permitting Mennonites and others whose religious belief is against Military Service to settle in Canada. At the present time when suitable land for returned soldiers is wanted, this Association considers it a gross breach of faith to returned men in allowing these valuable selected lands to be sold to this class of settlers.

It is actions such as this that are exasperating the returned men, and the officials of this Association will not be held responsible for the future conduct of returned soldiers if such actions as this are continued by the Federal and Provincial Governments.’

We earnestly request that your Government will take action accordingly.” - J.W. Law, Secretary Treasurer³⁴⁴

This unease between Mennonites and the general Canadian population became manifest in an immigration ban on Mennonites from 1919 to 1922. At the end of the war over one thousand Mennonites and Hutterites migrated from the United States to Canada, in part due to the hostilities they had experienced from Americans (similar to, but more exacerbated than the Canadian experience, including imprisonment and some Hutterite deaths). The *Ottawa Citizen* called them “draft-dodgers on a wholesale scale,” and the *Calgary Eye-Opener* fed into fears of a Mennonite immigration tide, warning that two million more Mennonites had bought blocks of land and were coming to settle.³⁴⁵ In a Parliamentary debate on amending the Immigration Act, Conservative MP John W. Edwards, from the Frontenac riding in eastern Ontario, called Mennonites and Hutterites “cattle.” The next day, May 1, 1919, the federal government issued an Order-in-Council banning Mennonites, Hutterites, and Doukhobors from entering Canada as they were:

³⁴⁴ Mennonite Archives of Ontario, *The Great War Veterans’ Association*, London Block, Sept. 16, 1918.

³⁴⁵ Sam Steiner, “It Can Happen in Canada – Immigration by Mennonites Prohibited,” in *Ontario Mennonite History*. Feb 6, 2017. <https://ontariomennonitehistory.org/2017/02/06/it-can-happen-in-canada-mennonite-immigration-prohibited/>

... undesirable, owing to their peculiar customs, habits, modes of living, and methods of holding property, and because of their probable inability to become readily assimilated to assume the duties and responsibilities of Canadian citizenship within a reasonable time after entry.³⁴⁶

The ban lasted only three years, when the new Prime Minister William Lyon Mackenzie King agreed to officially lift the ban on June 22, 1922 after meetings with S.F. Coffman.

In the early 1920s there were significant shifts within the larger society as people grappled with the turmoil and tragedy left by the Great War. Seeking separation from the mainstream did not protect Mennonites from being deeply affected. They struggled with the upheaval and distress within their own community the war brought, especially regarding questions of identity. Maintaining non-conformity rested heavily on the women and their personal appearance. However, this coincided with a general trend of young Mennonite women resisting the traditional bonnet as they found it impractical to wear with contemporary hats.³⁴⁷ While not overtly stated in their letters or diaries, it is also likely that these young women preferred the significantly more stylish secular hats. The church leadership appealed to traditional values, non-conformity to the world, and unity within the community, but the women maintained their position. This came to a head in the battle over women's bonnets at First Mennonite Church in Kitchener in the early 1920s.

³⁴⁶ Quoted in Sam Steiner, *It Can Happen in Canada*

³⁴⁷ At this point, the debate was not about whether or not a woman's head should be covered (particularly in church) — it was generally accepted that it should. The question before and after World War I was with what?

Bonnet as a Test of Membership — The Kitchener Case

The battleground for the first debate over the bonnet in Ontario arose in Kitchener. The formation of Stirling Avenue Mennonite Church (Kitchener) is a landmark incident in this history. The congregation grew out of the schism within First Mennonite Church over the bonnet issue.³⁴⁸ Essentially the dispute was what form Mennonite women's head covering must take, and if this applied to life beyond the church building. In June of 1924, the minister at First Mennonite — Urias K. Weber — wrote to his friend and colleague J.E. Hartzler (president of Bethel College in Kansas) looking for advice about the rising tension between First Mennonite and the Conference:

For a number of years there has always been more or less friction between the Kitchener congregation and the "Ministers Meeting" of Waterloo Co., and at our last meeting (Thursday) a resolution was passed to the effect that all the women who will not wear the bonnet everywhere, are outside the church ... Now you are well aware of our situation here as a city church, that we cannot put our girls under such a ruling for the reason that most of them are working in factories, etc. ... My own personal attitude is this, that I cannot come under such a ruling and make the bonnet the sole test of church fellowship, no matter what the life of the girls may be otherwise. ... I know from personal observation that most of these are good Christian girls and are striving to live the life the Master would have them live ... The congregation is I think about sixty-five per cent with them, and if nothing can be done, will have to go elsewhere to find a church home ...³⁴⁹

As Weber referenced in his letter, Mennonite women flocked to Canada's cities during World War I. Many took jobs in factories left vacant by men at war. Others found work as domestics, seamstresses, or similar occupations. Factory working women found the traditional Mennonite bonnet impractical and largely switched to hats. In a 1922 special session with the

³⁴⁸ This congregation was originally the Berlin Mennonite Church, but when the city changed its name to Kitchener during World War I, the church refused to have "that warlord's name" as part of theirs. Therefore, to the present day, the church is simply "First Mennonite Church." See Harder, *Risk and Endurance*, 33.

³⁴⁹ U.K. Weber to J.E. Hartzler, 1 November 1920, J.E. Hartzler Collection, Archives of the Mennonite Church.

Conference Investigating Committee looking into the “bonnet issue,” Suzie Shantz argued that “sisters working in factories were given [the] privilege of wearing hats.”³⁵⁰ In these Investigating Committee notes there is a general comment that, “permission granted to wear hats to work.”³⁵¹ There is a later note that, “concessions were abused. People who did not work wore hats.”³⁵² Many others, however, felt that the “constant city environment [was an] excuse for wearing hats.”³⁵³ When Mary Snider spoke before the committee she argued that, “some sisters were given permission twenty years ago. [The] same conditions existed thirty years ago and were not commented upon.”³⁵⁴ She believed that the, “Bishops may have to compromise in order to improve conditions,”³⁵⁵ and ends her testimony by stating that there “[is] too great [a] distinction between men and women.”³⁵⁶ In his June 28 testimony, “Bro. Bowman stated that [minister at First] U.K. Weber claimed that the regulation coat for men is as important as bonnets for women.”³⁵⁷ Mrs. MB Shantz agreed with Mary Snider, explaining that she was, “received into church 18 years ago,” and that Ben Shoemaker and A.D. Wenger gave her and Sophia Weber permission with the “understanding to wear hats to work and bonnets to church.”³⁵⁸

The resolution from the Ministers’ Meeting Weber mentioned in his letter came shortly before the traditional spring communion service. Within the Mennonite church communion is somewhat similar to other Christian denominations, but it has different significance and plays a different role within the community. It is limited to baptized adults and is a ritual embodiment of the community itself. Most Protestants believe that communion is symbolic and done in

³⁵⁰ Investigating Committee, Suzie Shantz, 8 November 1922.

³⁵¹ Investigating Committee, 7 November 1922.

³⁵² Investigating Committee, 7 November 1922, general notes.

³⁵³ Investigating Committee, 7 November 1922, general notes.

³⁵⁴ Investigating Committee, Mary Snider, 8 November 1922.

³⁵⁵ Investigating Committee, Mary Snider, 8 November 1922.

³⁵⁶ Investigating Committee, Mary Snider, 8 November 1922.

³⁵⁷ Investigating Committee, 28 June, 1923.

³⁵⁸ Investigating Committee, Mrs. MB Shantz, 8 November 1922.

remembrance of Christ at the Last Supper. Most Catholics believe that Christ is present in the Eucharist bread and wine. Mennonites fall somewhere in between, believing that Christ *is* physically present, but in the assembled body of believers. In the early 20th century churches held communion twice a year and it was a significant ceremony of commitment and unity, including group consensus. The church usually set aside a day preceding communion to ensure that all members of the congregation were in harmony with one another and with God. At the end of such a service the church took a vote to decide if the congregation was ready to proceed with communion. If the answer was no, or if there seemed to be lingering animosity, the communion service was delayed until matters were resolved.³⁵⁹ In the spring of 1921, the church leaders decided the situation was too contentious to proceed. When it became time for the autumn communion, U.K. Weber again consulted with the congregation about their readiness for the sacrament. When Bishop Hallman arrived to perform the communion, Weber informed him that, “at least 80% of our people ... voted to stand together on this thing [women not wearing bonnets].” He went on to say that, “making a certain cut of headgear the test of discipleship was also not bored [sic] out by the teachings of Jesus.”³⁶⁰ Hallman proceeded with the service, but less than a third of the congregation participated. In a tradition that emphasizes community harmony and unity this incident was both significant and painful. The Investigating Committee noted that, “Bro. Weber explained his part in not having communion in spring of 1921 and having it in fall. ... Bro Weber did not feel to ask bishops to come because he did not think circumstances favourable.”³⁶¹ Bishop Hallman continued from there, explaining, “... that he did

³⁵⁹ *Mennonite Encyclopedia*, vol. 1, (Waterloo, ON: Herald Press, 1955), s.v. “communion.” This practice, called “inquiry,” fell out of use soon afterward.

³⁶⁰ U.K. Weber to J.E. Hartzler, 14 September 1921, Hartzler Collection, Archives of the Mennonite Church.

³⁶¹ Investigating Committee, 21 June, 1923.

not feel free to go to Kitchener with communion under conditions existing there in regard to efforts made to bring about uniformity in the matter of dress.”³⁶² A year later matters were no more resolved. In her April 16, 1922 diary entry Susannah Betzner Cressman (the same woman who commented on women’s suffrage) wrote, “Easter Sunday. Church trouble not settled yet. Only 75 out of 300 took communion.”³⁶³ In her testimony to the Committee Suzie Shantz lamented, “We do not feel towards each other as we used to. Nearly all seems [sic] anxious to have communion restored.”³⁶⁴ Reflecting on the main concerns surrounding the debate, the Investigating Committee asserted,

The hat question should be solved. Kitchener formerly had communion under same conditions of attire. The Conference is Authority if based on the Bible. Bro. U.K. Weber has largely been cause of difficulty. At present large percentage of members are against Conference. Many are not willing to compromise with worldliness. Congregations should stand by decisions of Conference.³⁶⁵

There is a secondary nod to the majority of the congregation: “Some do not consider the bonnet a matter of Gospel principle.”³⁶⁶ Oscar Burkholder challenged this in his statement: “Some claim Bonnet is unscriptural. Imposed by man. United ministry is needed to correct abuses in attire.”³⁶⁷ The Conference agreed with Burkholder. People may not agree but it is up to the ministers, like U.K. Weber, to firmly correct this creeping worldliness and immorality.

The Committee noted that there was, “a lot of feeling among parishioners that the whole situation [was] unfair. U.K. Weber [was] blamed unfairly ... People [were] not properly consulted, approached, etc. ... [And there were] inconsistencies in [the] Conference’s handling

³⁶² Investigating Committee, 21 June, 1923.

³⁶³ Susannah Cressman diaries, 16 April 1922.

³⁶⁴ Investigating Committee, Suzie Shantz, 8 November 1922.

³⁶⁵ Investigating Committee, 9 November 1922.

³⁶⁶ Investigating Committee, 9 November 1922.

³⁶⁷ Oscar Burkholder, Investigating Committee, 8 November 1922. Two years later, on March 23, 1924, Susannah Cressman notes, “Oscar Burkholder here for Inquiry.”

of different congregations.”³⁶⁸ As some of the women’s earlier testimonies indicate, the issue did not appear suddenly in the early 1920s. In her diary entry for August 1, 1915, Susannah Cressman records, “Went to Church. Jacob Schmidt preached sermon on bonnet question, took vote on same.”³⁶⁹ Her next reference to the issue was three years later, on March 26, 1918: “Meeting at Betzner’s on bonnet question.”³⁷⁰ A month later she observes, “Meeting at our church to consider bonnet question and some other minor troubles.”³⁷¹ Four years later she notes, “Meeting at Waterloo of ministers and bishops re U.K. Weber re his stand on bonnet question.”³⁷²

The Conference refused to retract their resolution, and in the words of the Investigating Committee, “Bro. U.K. Weber declines to submit to Annual Conference. There is a feeling that something must be done. Bro. U.K. Weber should adhere to Con. resolutions and disregard opposing influences.”³⁷³ Strong and articulate female leadership was crucial to those who opposed the bonnet resolution. When these congregants chose twenty-two people to represent their beliefs to the Investigating Committee, half were women.³⁷⁴ This group presented a petition to Conference with 139 names, protesting the lack of dissenting voices on the committee itself, and the overall nature of the group. In 1924, the Conference added a deadline to its resolution: female members were to conform to the bonnet resolution before the next communion in

³⁶⁸ Investigating Committee, 21 June 1922.

³⁶⁹ Susannah Cressman diaries, 1 August 1915.

³⁷⁰ Cressman diaries, 26 March 1918.

³⁷¹ Cressman diaries, 16 April 1918.

³⁷² Cressman diaries, 2 February 1922.

³⁷³ Investigating Committee, 7 November 1922.

³⁷⁴ June 24, 1922. Meeting Minutes, XIII-2.15.1.1/1, SAMC, Mennonite Archives of Ontario. MB Shantz was chair, EB Betzner, Secretary. A committee was chosen to meet in order to “lay our grievances before the investigating committee.” The members were: Henry Eby, MB Shantz, Titus Shantz, Allan Cressman, Melvin Shuh, Jacob Snyder, Josiah Martin, Allan Shantz, William Bachert, EB Betzner, Elton Wismer, Mary Snider, Mrs. EB Betzner, Mrs. Irvin Shantz, Mrs. MS Weber, Mrs. Irvin Kolb, Mrs. Allen Weber, Mrs. Allen Cressman, Mrs. MC Cressman, Miss Sarah Weber, Mrs. MB Shantz and Mrs. Dan Shuh.

September. When nothing changed, the Conference moved against the congregation's minister, U.K. Weber. He, along with ministers David Wismer and Jacob S. Woolner (for supporting Weber) were "put to silence" on Sunday, August 3 (Mennonite church discipline to ban a minister from preaching).³⁷⁵ On that day Susannah Cressman wrote one of her longest diary entries: "This is one of the most memorable Sundays in the history of first Mennonite church at Kitchener, there being three ordained ministers excommunicated, among them U.K. Weber our resident minister and David Wismer and Jacob Woolner. ... God grant that these things may work together for the good of the church!"³⁷⁶

Within a stack of oral histories of the founding members of Stirling stored in the Mennonite Archives of Ontario is a loose slip of paper with the following anonymous memories from that day:

The story has come from a couple of older women who were there at the time concerning the day that UK Weber was defrocked. I was told that UK Weber had invited a special speaker that day — a visitor in the area. Weber had no idea that anyone was coming from the conference. He introduced the special speaker and they heard him preach. After the visitor had finished speaking bishops Snider and Mannaseh Hallman got up and, as it was expressed to me, "did their dirty work." They announced that UK Weber was being put to silence by the conference until further consideration had been given to the problems about the women's dress code. Later, as a guest Allen Shantz the visiting minister said that he had never heard anything like it before.

But when the two bishops finished with their announcement Mrs MC Cressman got up and told them off. I was told that MC Cressman got lower and lower in his seat in the pew and the two bishops looked as though they felt like two cents. It appears that women could on occasion express themselves back in 1924 too.³⁷⁷

Mrs. Cressman had apparently expressed her opinion on the topic previous to this historic day. Her husband, Menno Cressman, held a personal grudge against Weber and actively sought

³⁷⁵ Harder, *Risk and Endurance*, 47.

³⁷⁶ Susannah Cressman diaries, 3 August 1924.

³⁷⁷ Unknown interview, Stirling Interviews.

his dismissal. Weber's son Howard remembered, "... Mrs. MC Cressman used to call up my Dad and cry about the things Menno was doing. ... You see Menno wanted to be a preacher and Dad wasn't that anxious to be a preacher but they were after him — on the very day that Dad become [sic] minister Menno worked against him."³⁷⁸ As was customary for Mennonites, the congregation drew lots to choose its minister. According to several of his contemporaries, Menno hoped to be minister and was sorely disappointed when he was not selected. In the end, his daughter Grace chose to follow Weber to the new church on Stirling Avenue.

Apparently, Bishop Jonas Snider did not particularly enjoy his task either. He later advised Weber, "I am an old man and cannot go it alone so will stay with the church ... Stay with your group. Stay together and God bless you."³⁷⁹ Howard Weber agrees that Bishop Snider's role did not sit well with him:

It was Jonas Snyder's [sic.] [and Oscar Burkholder's] task to oust Dad ... and it didn't take Jonas that long to call him up and ask him to come up there. Jonas and his wife were both crying when Dad got there. "Not again for anything would I do that for the conference. It was wrong," he said. You could see it was wrong because the church just fell apart. It took Burkholder much longer. It took him till he was on his death bed. ... He asked Dad to come over and he asked forgiveness. So you see the little burdens they carried. I don't see how the church [Stirling] could prosper in those years because my dad was unhappy with the situation. But I guess it did prosper. ... Even on his death bed he still had a little bit of aggravation towards those people.³⁸⁰

Although Bishop Snider had advised Weber to "stay with your group," Howard Weber recalled, "My father was sick and tired of it and had to be coaxed into starting the new church."³⁸¹ One hundred fifteen members left First Mennonite to form Stirling Avenue

³⁷⁸ Interview with Howard Weber, May 1984, Stirling Interviews.

³⁷⁹ Jonas Snider, quoted in Harder, *Risk and Endurance*, 47-48.

³⁸⁰ Interview with Howard Weber, May 1984.

³⁸¹ Interview with Howard Weber, May 1984.

Mennonite Church in August 1924 (one block away from First Mennonite). Until the building was ready, the soon-to-be Stirling congregation still used First's building, but in the afternoon.³⁸²

When asked why they did not choose to join another denomination or start an independent church, Howard Weber declared, "If we had left the Mennonite Church we would have lost our identity as a non-resistant people."³⁸³ Approximately half of Kitchener's oldest Mennonite church — in one of the few geographic strongholds for a small Christian minority denomination in Canada — left in order to form a new church where headcoverings would not be a test of membership or considered a symbol for a woman's dedication to God. And yet it was still essential to these people that they retain their identity as non-conformist pacifists.

The closeness of the Mennonite community extends beyond the immediate congregation, and its neighbours closely watched the split between Stirling and First. Florence Shantz Becker reflected on this:

I remember that there was a lot of people from the city that were interested — from other churches — that they were interested in us and the church was packed [at] the dedication ... It was surprising how many people — some would say well we'll buy them collection plates, another one came and they were going to buy the Bible for the church and we had a light over so they could read and they bought that and there were a number of small gifts by people that really were interested and felt for us.³⁸⁴

This interest was not always positive. Opinions varied within families and between friends, causing further friction. Founding Stirling member Beulah Moss remembered, "Stirling's dedication service was a happy occasion and still kind of sad. We lost a lot of friends at First Mennonite. They weren't hardly speaking to us."³⁸⁵ When Stella Schweitzer Brubacher returned

³⁸² Earle S. Snyder and Anne Millar, s.v. "Stirling Ave. Mennonite Church," in *Global Anabaptist Mennonite Encyclopedia Online*, September, 2003, <http://www.gameo.org/encyclopedia/contents/S761ME.html>.

³⁸³ Interview with Howard Weber, May 1984.

³⁸⁴ Interview with Florence Shantz Becker. Stirling Interviews.

³⁸⁵ Interview with Beulah Moss, July 6, 1984. Stirling Interviews.

to Kitchener from working in St. Catherine's, "[I] heard a lot about the differences of opinion. A lot of people were actually sick over that."³⁸⁶ Stella's parents had made the move to Stirling. While some young adults, like Grace Cressman, left their parents at First to attend Stirling, many sought their parents' counsel. Alice Bachert had recently joined the church and, "could not understand why the split should take place. [My] father encouraged [me] to study. He told [me] not to worry about things at the church. When [I] went to Toronto [I] worked in the home of a wealthy family and went to Toronto Bible College. The family treated [me] with respect. After going to Toronto [I] no longer wore a covering. [I] went to various churches in Toronto."³⁸⁷ Helen Shantz was engaged to a man who was attending Stirling. Uncertain what to do, Helen spoke with her father.

I was a member at Wanner's [Mennonite Church in Cambridge]. And I talked this over with father before I married, I said they are having trouble over there and he said "You go with your husband of course." I asked father what he would do if he came up there and he said, "We will go right past East End Church [First] and come up to Stirling." Which is what he did. We were married in 1923.³⁸⁸

Once they were married, Helen recalled how she and her husband chose to push the differences between First (which she refers to as "East End" — another colloquial name for it) and Stirling.

At East End Church the women sat on the left and the men on the right. I remember one of the first times we went to [Stirling] and before we left for church my husband said, "Now I want you to sit with me tonight." I wondered what was going on because this was not usual. I expected to hear about that, which I did. Then I said to the people who needled me about it, "My husband asked me to sit with him." ... [The change] was gradual. As each man said [to his wife], "Why don't you sit with me," ...³⁸⁹

³⁸⁶ Interview with Stella Schweitzer Brubacher, April 29, 1984. Stirling Interviews.

³⁸⁷ Interview with Alice Bachert, July 22, 1984. Stirling Interviews.

³⁸⁸ Interview with Helen Shantz, May 27, 1984. Stirling Interviews.

³⁸⁹ Interview with Helen Shantz, May 27, 1984. Stirling Interviews.

In both of these examples, Helen demonstrates how women could use the presumption that they would submit to their husbands to their advantage. Although as this chapter's opening anecdote indicates, Helen was perfectly capable of thinking for herself and did not wait for marriage or Stirling to push expectations.

People often engage in symbolic behaviour, particularly with regard to dress, without consciously understanding why. Given the intimate associations between dress and identity, the bonnet acquired multiple layers of symbolic meanings in the 1910s and '20s. Understanding this reality, we can see how covering the Mennonite woman's head turned her into a walking representation of the community's non-conformity. Thus, we must appreciate the bonnet in the complex social atmosphere of World War I and the immediate post-war era. When the women of First Mennonite Church persisted in wearing hats instead of the Conference mandated bonnets it was more than a case of personal attachment. As they well knew it was a denial of Conference's final authority. By keeping their hats — despite having their heads covered — they used their own group consensus, supported by many in their community, in a setting where they should have been meek and submissive. Conference was fully aware of this and reacted decisively, resulting in the division of a congregation. Their insistence on unity through dress, while simultaneously blatantly employing a double standard of enforcement between men and women, provoked schism and animosity. This irony did not seem to occur to the church leadership, however.

Most material messaging is subtle and subconscious, and as such it can be difficult to quantify. Yet, non-conformity and separation from the world were central tenets of Mennonite theology, and their religious dress consciously identified them as "other." While many minorities

seek to prove the ways they fit into Canadian mainstream society, Mennonites sought to prove that they were different, in part through resisting militarism, and in part through distinctive dress.

Unlike the later case studies of Baltej Singh Dhillon and Zunera Ishaq, the public was completely unconcerned with Mennonite women's bonnets. Their dress did not directly provoke public debate. After extensively studying archival sources, previous historical work, and consulting with Mennonite historians, I could not find any references from non-Mennonites to the bonnet whatsoever. The rest of society was focused on a war and its after-effects. While they resented Mennonites for not fighting, and were suspicious of them for their German ethnicity, their hostility was not directed at Mennonite headcoverings the way public aversion later focused on Dhillon's turban or Ishaq's niqab. However, the public's vocal concern over their identity as pacifist Germans was *embodied* in Mennonite's distinctive dress. The male leadership used women's bodies as a central site for nonconformity to the world, and their insistence on the bonnet had implicit patriarchal control.

The women wearing hats outside of the loosely permitted work environment illustrate how women in a deeply patriarchal community can circumvent the apparently rigid system of male authority. Had the women in that era taken a more confrontational approach and removed their head coverings entirely it is unlikely that they would have obtained the sympathy and support of so many in their community, including their minister and male family members. Though they were fully aware of, and were not happy with, the blatantly unfair double standard in dress between men and women, these women were by no means helpless or willing to submit without having their collective viewpoint considered. While they shared their Mennonite community's deeply held beliefs in yieldedness (called *Gelassenheit*) and submissiveness, they

were confident that that submission was ultimately to God and not their human male church leadership, as Helen Shantz articulated.

This raises interesting considerations about the role of dress for women in religious institutional disputes more generally. Where women are confined within a male dominated culture, control of their own bodies becomes a means by which they can assert their wishes, grievances, and desires.³⁹⁰ This, in part, demonstrates the symbiotic relationships that exist between dress, the body, and human rights.³⁹¹ Dress, in fact, as a predominantly female domain becomes an opportunity for female leadership within even overtly patriarchal religious institutions, like the Mennonite church.³⁹² Through these means they can find ways of reworking the very institutions that restrict them. For example, their dependence on their husbands for social approval gave women at Stirling the freedom to sit with men at church. Despite the numerous prescriptions and restrictions concerning how women were expected to dress at the beginning of the 20th century, it is clear that many women were prepared to challenge the expectations of their church leadership. Their dress strategies reflected the gendered nature of their worship- and domestic-spaces, but it also represented their adaptation to these spaces based on their collective belief-based experiences.³⁹³

These Mennonite women, while working to change their community, were not seeking to leave or drastically overhaul it. They were as deeply committed to the Mennonite church and its non-conformity as their male antagonists. Though while they were seeking a communal shift in understanding, these women affirmed their right within their community to practice their religion

³⁹⁰ See Linda M. Scott, *Fresh Lipstick: Redressing Fashion and Feminism* (New York: Palgrave MacMillan, 2005); or Faegheh Shirazi, *Velvet Jihad: Muslim Women's Quiet Resistance to Islamic Fundamentalism* (Tallahassee: University Press of Florida, 2011).

³⁹¹ Although Mennonites would not have thought in terms of human rights, or even of their rights. Their discourse tends to centre more on privileges and responsibilities.

³⁹² Reina Lewis, *Modest Fashion*, 4.

³⁹³ Entwistle, *Gender on Display*, 339-340.

as in a manner true to their understanding. The messages of their headcoverings are coded with symbolic meanings; the manner in which the bonnet literally embodied Mennonite identity demonstrates that one cannot fully study dress without knowing something about religion, and — as I argue in this dissertation — vice versa.³⁹⁴ The headcovering manifested the religious and social environments, as well as political and gender performance in Ontario in the 1910s and ‘20s.

This case provides an important counterpoint to the next two cases which come after the adoption of a national human rights narrative. It is an example of how much human rights discourse shifted over the course of a century from a British Common Law community approach to a liberal democracy declaration of individual rights. As such, markers of membership were essential for Mennonites in proving their distinction, and thereby demonstrating that an individual deserved the group’s right to military exemption. While for men this centred around baptism, women carried the heaviest burden of Mennonite identity boundaries with the bonnet.

³⁹⁴ For more on the ways social structures and institutions affect appearance as a criterion for evaluating status and location, and the intersection of dress and human behaviour more broadly, see Kim K.P. Johnson and Sharron J. Lennon, *Appearance and Power* (London: Bloomsbury, 1999); and their more recent (and interdisciplinary) work, Sharron J. Lennon, Kim K.P. Johnson, and Nancy A. Rudd, *Social Psychology of Dress* (London: Fairchild Books, 2017).

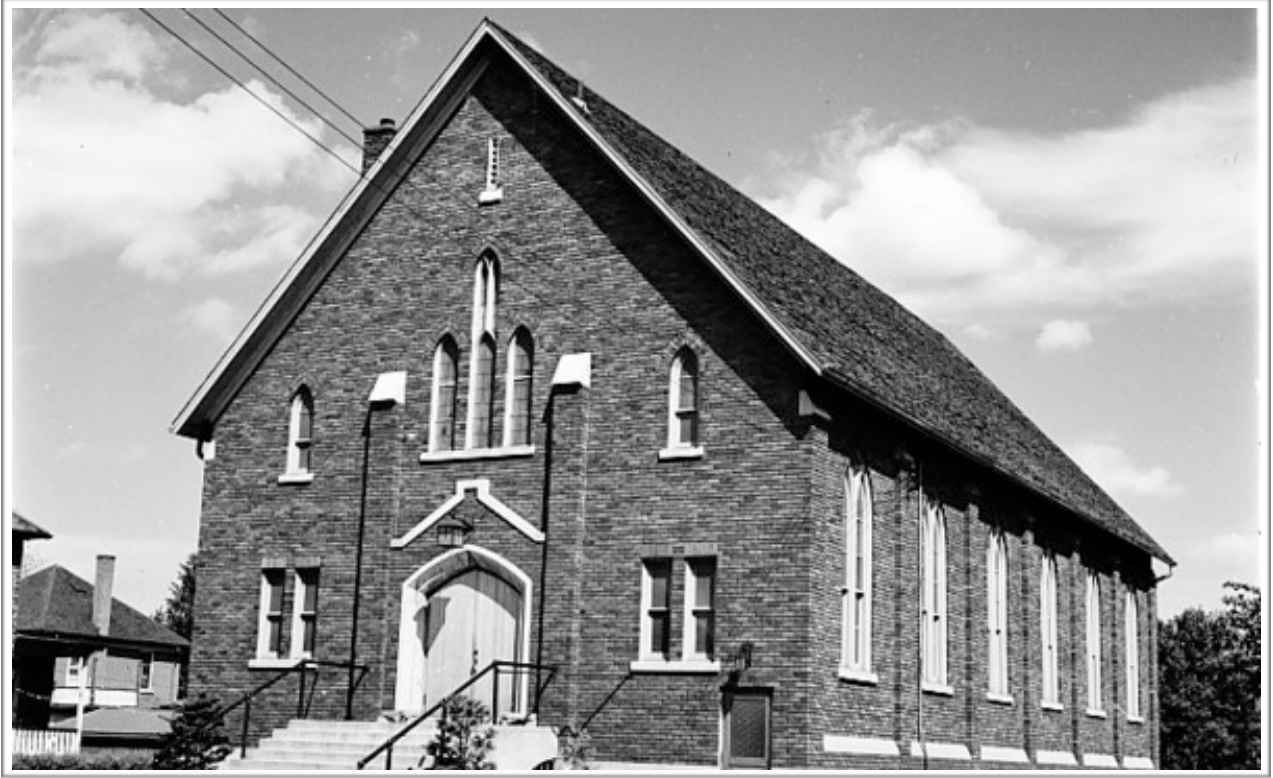


Fig. 2. Stirling Avenue Mennonite Church, 1910. CA MAO Hist.Mss. 10.28-DH-324, Mennonite Archives of Ontario.

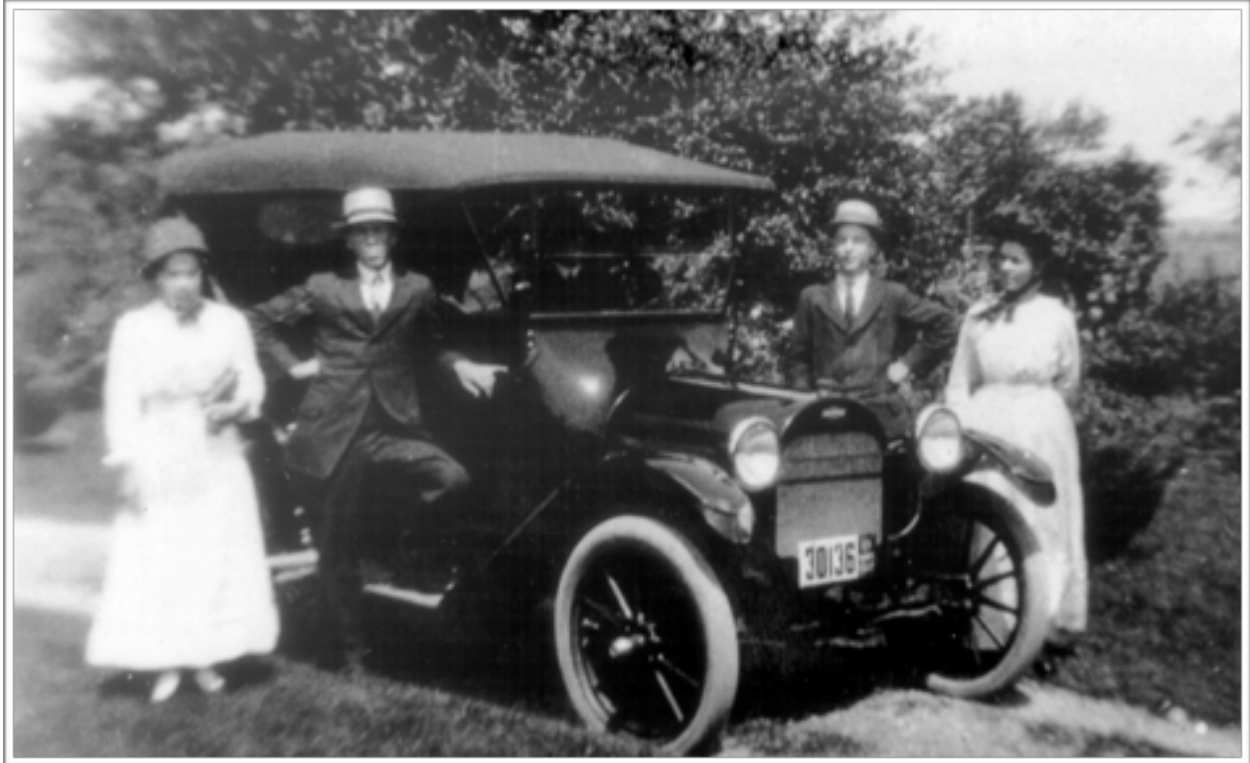


Fig. 3. Left, Stateser Bonnet. Right, contemporary hat. 1916. CA MAO 1990-1 25, Mabel Groh Collection, Mennonite Archives of Ontario.



Fig. 4. Gordon Eby with his parents at a family gathering to wish him well after he joined the overseas 118th Battalion in 1915. His family are all in plain dress. Left to right: Isabella Eby (sister), Catherine (Clemens) Eby, Gordon Christian Eby and Christian Eby. CA MAO Hist.Mss.1.66.4.1-008, Mennonite Archives of Ontario.



Fig. 5. 1910: Family of Judith Weber Krempien Shirk. L-R: Selina Shirk Shantz, Norman Krempien, Lovina Krempien Hinburg, Mary Krempien Snider, Judith Weber Krempien Shirk. Judith was first married to Charles Krempien (d. 1892), then to Peter Shirk (1839-1919). The grandmother is in plain dress and prayer covering while the rest of the family is wearing fashionable contemporary styles.

CHAPTER FOUR

Baltej Singh Dhillon and Sikh Turbans in the RCMP, 1974-1990

In 1990 Baltej Singh Dhillon became the first officer in the Royal Canadian Mounted Police (RCMP) to wear a Sikh turban as part of his uniform. One day as a cadet he had an especially difficult session of training. His mother, Jaswant Kaur Dhillon, told him, “This is no longer about you getting a job. You are representing the Sikh community in Canada. That is what’s on your shoulders. So step up, get over yourself, and get the job done.”³⁹⁵ Dhillon did not set out to represent Canadian Sikhs, however. He applied to the RCMP in 1989 without a great deal of consideration beyond wanting an honourable career. Neither he nor his local detachment suspected his turban would cause an issue. He was simply focused on finding a way to support his young family while serving the community. Dhillon’s strong sense of service and duty came from his father, Nachatar Singh Dhillon, a man renowned in their Malaysian homeland for his generosity and community engagement. His father taught him “the Sikh way of life” and, before his passing when Dhillon was 16, he asked his son to promise never to cut his hair or remove his turban.³⁹⁶ Keeping that promise, and not an unwavering belief in the practice, is what kept Dhillon committed throughout the national turmoil over a turban amongst the Mounties.³⁹⁷ In addition to his devotion to his father, Dhillon was dedicated to serving the community. Applying to the RCMP Dhillon did not expect the national furor his request would elicit. Underestimating the effectiveness of decades of intentional image promotion of the Mountie as a non-negotiable ideal of rugged Anglo-Canadian manhood, Dhillon unintentionally challenged the longstanding national popular imagination.

³⁹⁵ Baltej Singh Dhillon, telephone interview by author, May 11, 2016.

³⁹⁶ Dhillon interview.

³⁹⁷ Dhillon interview.

The image of the quintessential Mountie was, ironically, not that dissimilar from the British imaginings of the Sikh warrior in colonial India. After the British defeated the Sikh army in Punjab, they actively recruited their recent opponents, admiring their bravery, military skill, and archetypal masculinity. The Sikh warriors — the *kes-dhari* — acted as colonial agents throughout the British Asian empire, earning them the privilege of free movement within the British Commonwealth. However British Columbia was uninterested in Britain's arrangements with its Asian subjects and did not want Indian immigrants entering its borders. The two countries agreed on a not-so-subtle exclusionary arrangement that directly affected Sikh immigrants seeking refuge in Canada aboard the infamous *Komagata Maru* in 1914 — a ship crowded with Punjabi asylum seekers barred for two months from disembarking in Vancouver, that the Canadian military then forcefully escorted out of Canadian waters.³⁹⁸

After Canada revised its restrictive immigration policies in the 1970s, opening its doors to a much wider array of international migrants, tensions erupted in India between the Sikh community and the predominantly Hindu government over the desire for a Sikh homeland — *Khalistan*.³⁹⁹ Fleeing the violence many Sikhs sought refuge in Canada. This fight touched Canadians directly when Sikh extremists blew up Air India flight 182 en route from Toronto to London, England on June 23, 1985. All 329 passengers on board — the majority Canadian of Indian descent — were killed. Until September 11th, 2001, it was the largest terrorist attack on record.⁴⁰⁰ This became the RCMP's domain and the investigation and trial of Sikh Canadian terrorists played out in the national media and public discourse. When Dhillon applied to the

³⁹⁸ Margaret Walton Roberts and Doris Jakobsh. "A Century of Miri Piri: Securing Sikh Belonging in Canada." in *Memorializing a Forgotten Chapter: The Komagata Maru Episode Conference*, IIT, Kharagpur, Bengal, India. February, 2016.

³⁹⁹ Walton Roberts and Jakobsh, 2.

⁴⁰⁰ Bolan, Kim. "Air India Flight 182 Bombing." In *The Canadian Encyclopedia*, Historica Canada, 2017. <http://www.thecanadianencyclopedia.ca/en/article/air-india-flight-182-bombing/>.

RCMP four years later the Canadian public did not have a favourable association with Sikh turbans.

Nine months after Dhillon applied, RCMP Commissioner Norman Inkster recommended to the House of Commons to make allowances for religious symbols.⁴⁰¹ It takes an Order-in-Council to change the RCMP uniform. For the next nine months there was fierce internal RCMP, political, and public debate, including 200 000 signatures on a petition to Parliament to enshrine the Mountie uniform, and the production and sales of tens of thousands of overtly racist anti-turban pins, posters, and t-shirts.⁴⁰² On March 16, 1990, Solicitor-General Pierre Cadieux accepted Inkster's recommendation, and Dhillon entered the RCMP. Deciding that if they were making this change it made sense to make others at the same time, on the same day the RCMP allowed women to wear the same uniform as male officers (including the revered Stetson at the heart of the turban debate), and permitted Indigenous officers to wear their hair long and in braids as a symbol of their spirituality.⁴⁰³

Such an inclusionary move is in line with Dhillon's personal views around Sikhism and religion. He wants religious institutions to welcome people and point them toward an understanding of themselves as part of something larger, and to serve those around them accordingly.⁴⁰⁴ This strong sense of justice and service is rooted in the Sikh concept of *miri piri*; a directive to strive for the common good and combat injustice. This includes the Sikh warrior never abandoning the field of battle. Jaswant Kaur Dhillon's words to her son reflect this Sikh

⁴⁰¹ "1990: Sikh Mounties Permitted To Wear Turbans," *The National*, with Peter Mansbridge and Ian Hanomansing. CBC Digital Archives, March 15, 1990,

<http://www.cbc.ca/archives/entry/1990-sikh-mounties-permitted-to-wear-turbans>.

⁴⁰² Hugh Winsor, "Sikh 'Mountie' Makes History in the New World Despite Traditionalist Objectors," *The Independent* (London, ON), May 18, 1991.

⁴⁰³ Ross Howard, "Cadieux Gives Sikh Mounties Right to Wear Turbans on Duty," *The Globe and Mail* (Toronto, ON), March 16, 1990.

⁴⁰⁴ Dhillon interview by author.

way of life. For many Sikhs, these values are embodied in the turban. For Canadians, these values are embodied in the Mountie's red serge tunic and Stetson hat. This battle over competing visual depictions of the same alleged values demonstrates that the Stetson was not just representative of bravery and service, but also of an unadulterated ethnic and cultural identity, and the maintenance of white hegemony.

With Mennonite headcoverings we saw that the Canadian public paid no attention to the bonnet, and subsequently did not receive the message the church was attempting to send to the wider society. Dhillon did not expect his turban to be an issue within the RCMP, let alone on the national stage. Canadians, however, did take sharp notice this time. The country reacted swiftly to the idea of the sacred Mountie in a turban — a visual embodiment of an outsider donning the uniform of a revered insider. Seventy years after the Mennonite bonnet debate, Canada had consciously reimagined itself as a multicultural nation. Dhillon's case reveals that popular opinion was far from ready to fully embrace this policy, but he was able to successfully communicate to the government that his turban visually represented the mostly dearly held values of the grand Canadian narrative: good citizenship, an investment in a just society, and multicultural inclusivism. The government perceived, considered, digested, and finally approved his message.

Baltej Singh Dhillon never set out to become a Canadian multicultural icon, or even to challenge established norms. His only goal was to work in law in some capacity. Reflecting on his choice three decades later Dhillon muses, "I [didn't] put a lot of thought into it, other than that it was something that was going to put food on the table and it was something that was honourable."⁴⁰⁵ Dhillon volunteered with his local RCMP to boost his resumé and work

⁴⁰⁵ Dhillon interview.

experience, knowing that he planned to work in law in some way. In the process he, “fell in love with the work and the people.”⁴⁰⁶ He found the officers, “honourable and dedicated. Every day they came to work not thinking about themselves but how to better their community.”⁴⁰⁷

This strong sense of service struck a familiar and deep chord with Dhillon. His father, Nachatar Singh Dhillon, was a devout Sikh and, “absolutely service oriented.”⁴⁰⁸ Growing up in Malaysia Dhillon’s family had very little in material terms. His father worked two jobs to support the family of six, but this did not dampen Nachatar Singh Dhillon’s generous spirit. “He would take in strays. We had someone live with us for a year and a half ... just because he got kicked out of his home. ... And when you’re already struggling to feed six mouths, taking on another is huge. ...”⁴⁰⁹ In another incident, a young man tried to attack his father with an umbrella. Nachatar grabbed the umbrella and the young man ran away. Later, he handed the umbrella to Baltej and told him to open it up and set it outside their front door. Baltej asked why, and his father replied that it was going to rain soon and this man would need his umbrella.⁴¹⁰

Dhillon’s memories of his father, who passed away when he was sixteen, revolve around him as a man of faith. It was important to Nachatar Singh Dhillon to impart that faith on to his son and shared his daily practice with him. Sikhs generally translate the gurus’ teachings into three cornerstones of the faith in their daily lives: first, remembering Vahiguru (“Wonderful Sovereign,” the oneness of God) through the *nam simran* discipline (meditating on the Divine Name), including through congregational singing and prayer; second, working with honesty and integrity, free from fraud or exploitation based on Guru Nanak’s householder ideal; and third,

⁴⁰⁶ Dhillon interview.

⁴⁰⁷ Dhillon interview.

⁴⁰⁸ Dhillon interview.

⁴⁰⁹ Dhillon interview.

⁴¹⁰ Dhillon interview.

helping those in need and sharing with others.⁴¹¹ When Dhillon came home from school his father always asked him if he had done his daily prayers and practice. These were not empty rituals for Nachatar. "... He would leave every weekend to serve in the community and we wouldn't see him until Sunday afternoon."⁴¹² Dhillon has many memories of his father serving in the gurudwara long after the family went home. "He left a huge impression on me."⁴¹³

There is a direct line between Dhillon's connection with his father and becoming the first Mountie with a turban. He was baptized as a Sikh at 12, and before he died, Nachatar Singh Dhillon asked his son to promise to never cut his hair or remove his turban. Baltej promised, and despite intense social and familial pressure as a teenager in Canada he kept his promise. "[When I arrived in Canada] that would've been the time to [cut my hair]. The excuse is there. My family made me do it. I didn't want to do it but my family made me. I was only 16, who would've blamed me? It would have been normalized. ... Many members of my family had already cut their hair. My brother had ... My father wasn't around anymore to hold the stick over me ..." If it was going to be a choice between becoming an RCMP officer and keeping his promise to his father, there was no contest: the turban would remain.

While Dhillon kept his hair and turban because of his promise, Dhillon did inherit a personal commitment to the Sikh way of life from his father. "What he left me with is now an anchor in my life."⁴¹⁴ Reflecting on how that foundation dovetails with his work as a police officer, Baltej explains:

When I served and I helped and I lent a hand to people, that absolutely lined up with what my dad was doing. When it took everyone else half an hour to walk home, it would take him an hour and half because he kept stopping

⁴¹¹ Doris Jakobsh, *Sikhism* (Honolulu: University of Hawaii Press, 2012), 51.

⁴¹² Dhillon interview.

⁴¹³ Dhillon interview.

⁴¹⁴ Dhillon interview.

along the way to help people. There would be one guy with a tire out so he would stop and help him. And a lady who hadn't eaten anything so he'd buy her some food... To be paid to be able to do that? What more can you ask for?⁴¹⁵

Volunteering with the RCMP Dhillon found this pattern of community service repeating itself. When a call involved the Southeast Asian community in the lower mainland of British Columbia, the individuals would walk straight to Dhillon — even though he was not an officer — and start speaking to him in Punjabi. They were more comfortable interacting with Dhillon than the white officers he was with. Dhillon considered it a privilege: “I was able to help them at their moment of greatest need.”⁴¹⁶ For their part the RCMP officers made great use of Dhillon’s language skills and cultural understanding. “The days I was working as a volunteer I would literally get passed around from car to car.”⁴¹⁷ It was these officers who encouraged Dhillon to pursue a career with the RCMP. His supervisor told him he had the personality and skills that would make him a strong police officer. It was that encouragement, and the way the officers themselves behaved, that ultimately convinced Dhillon to apply. In considering his decision Dhillon notes, “We come from Malaysia and not from India, and we see police very differently in Malaysia than in India. They are honourable, and it is a career. [It is a way to] serve the people around you.”⁴¹⁸

Not only did Dhillon not set out to become a cultural icon as the first turbaned Mountie, he did not even consider that it might cause tension. “Did I ever have a hint that it was going to be an issue? It was never a question that came up ...” Even his RCMP supervisor had overlooked it as a potential issue. When it became a contentious national concern his supervisor

⁴¹⁵ Dhillon interview.

⁴¹⁶ Dhillon interview.

⁴¹⁷ Dhillon interview.

⁴¹⁸ Dhillon interview.

asked him if he had been wearing the turban the day he applied. Dhillon replied, “Have you *ever* seen me without it?” His supervisor had to acknowledge that Dhillon must have been wearing it, but that he had simply stopped “seeing” it and only saw Dhillon as a strong candidate.⁴¹⁹ With his family the extent of the conversation was whether they had ever seen a Canadian police officer in a turban. Their answer was, “No I don’t think so. But in Malaysia we saw police officers every day wearing turbans, so to us it wasn’t a big deal.”⁴²⁰

The Canadian — and indeed the international — imagination around “our Mounties” was somewhat more set. In the 1930s the RCMP commissioned artist Arnold Friberg to create a series of promotional materials. His Mounties were idealized archetypes of Victorian masculinity who seldom varied in appearance over the thirty years he worked for the RCMP. They always appeared in Stetson hats, red serge tunics, riding breeches with a yellow stripe, and riding boots. They appeared in rugged, remote, and barren landscapes, often with their dog or horse by their side. As historian Bonnie Reilly Schmidt explains, “A Friberg Mountie was Caucasian and square-jawed, with a broad forehead, straight nose, and chiseled facial features that were constructed at perfect forty-five degree angles to each other.”⁴²¹ Friberg’s illustrations were more than a successful advertising campaign; they solidified the heroic Mountie shaped by books, Hollywood, and the RCMP itself, in the popular imagination of North Americans. He became a “non-negotiable ideal of Canadian manhood, [and] an exemplar of the Anglo-Canadian race ...”⁴²² Long before Dhillon applied to join the force, the Mountie was firmly entrenched as the

⁴¹⁹ Baltej Singh Dhillon, “Are We Canadian Enough?: Our Home Canada — a Sikh’s Perspective.” Lecture for the Manmeet Singh Bullar Sikhs in Public Lecture series, Mount Royal University, Calgary, AB, March 12, 2016.

⁴²⁰ Dhillon interview.

⁴²¹ Reilly Schmidt “Women in Red Serge,” 2.

⁴²² Reilly Schmidt, 2.

embodiment of white masculinity, taming the boundless frontier as a paragon of protection for Canadians. Nelson Eddy's portrayal of Sergeant Bruce in the 1936 hit film *Rose Marie* helped entrench the rugged duty-bound and captivating Mountie ideal.⁴²³ Canada's tourism industry actively participated in and promoted this mythic image of the white-male Mountie as a national symbol. In the 1950s the RCMP sent their taller officers to Jasper and Banff because tourists liked to take their picture. Reilly Schmidt observes, "The RCMP's desire to accommodate the tourism industry by posting [specific] Mounties to tourist destinations is a reflection of the RCMP's interest in promoting its strong, virile, and manly officers as symbols of Canada."⁴²⁴ If these were the bodies deemed appropriate to represent state authority to visitors it left little room for a Southeast Asian man in a turban and a beard.

However, the image of the turbaned kes-dhari had a long history within the British empire. The centennial RCMP officer's presentation was rooted in an imperial fervour dating to the nineteenth century, "when the scarlet-clad Mountie on horseback represented deference, loyalty, and adventure within Queen Victoria's empire."⁴²⁵ During Queen Victoria's diamond jubilee a group of Northwest Mounted Police officers left a strong impression on the London crowds with their handsome horses, Stetson hats, red serge tunics, white gauntlets, and riding boots.⁴²⁶ Reilly Schmidt observes, "The Mounties embodied the romance of the Queen's empire ..."⁴²⁷ Meanwhile, as historian Tony Ballantyne explains, on the other side of the empire "the Sikh soldier became one of the most potent imperial symbols."⁴²⁸ Due to their prominence in the

⁴²³ Directed by W.S. Van Dyke, Produced by Hunt Stromberg, Written by Frances Goodrich and Albert Hackett. Starring Jeanette MacDonald, Nelson Eddy, James Stewart, and Reginald Owen. *Rose Marie*, 1936.

⁴²⁴ Reilly Schmidt, "Women in Red Serge," 34.

⁴²⁵ Reilly Schmidt, 3.

⁴²⁶ Reilly Schmidt, 35.

⁴²⁷ Reilly Schmidt, 35.

⁴²⁸ Tony Ballantyne, *Between Colonialism and Diaspora: Sikh Cultural Formations in an Imperial World*

administration of the British empire, the turbaned kes-dhari Sikh was a dominant “signifier of imperial power throughout Asia.”⁴²⁹ While the British intentionally distanced themselves from the distinctive dress of their colonial subjects, they were drawn to the image of the Sikh warrior. In order to reign in this popular fascination, the East India Company officially banned any of its employees from wearing Indian dress in public functions in 1830.⁴³⁰ But the allure did not disappear and the British military itself was not immune.

It was in designing the dress uniforms for the officers and men that the British exercised their fantasy of what an “oriental” warrior should [look] like. . . . By the end of the nineteenth century, the dress uniform of the British officers of the calvary had become fully “orientalized;” it included a knee-length tunic in bright color, breeches and high boots, and a fully wrapped colorful turban.⁴³¹

In an imperial full circle, this uniform is strikingly similar to the one Baltej Singh Dhillon would wear as a turbaned RCMP officer a century later. A Malaysian-born Sikh immigrant was fighting for the right to wear essentially the same uniform the British calvary officers had worn in his people’s homeland, against detractors arguing such a uniform would be “unCanadian,” rallying instead around a uniform almost entirely British in origin, except for the American Stetson at the heart of the debate.

Jennifer Craik’s work, *Uniforms Exposed: From Conformity to Transgression*, which looks at the relationship between the overt and covert lives of uniforms, offers helpful insights into their function in dressed bodily practice.⁴³² Craik argues that “uniforms are all about control

(Durham & London: Duke University Press, 2006), 29.

⁴²⁹ Ballantyne, 73.

⁴³⁰ Bernard S. Cohn, “Cloth, Clothes, and Colonialism: India in the Nineteenth Century” in *Cloth and Human Experience*, Annette B. Weiner and Jane Schneider eds. (Washington: Smithsonian Institution Press, 1989), 325.

⁴³¹ Cohn, 325. For an interesting discussion on the role of uniforms in colonial fetishization, see Jennifer Craik, “Functionality, Sexuality, Colonization,” in *Uniforms Exposed: From Conformity to Transgression* (Oxford: Berg, 2005), 37-44.

⁴³² Jennifer Craik, *Uniforms Exposed: From Conformity to Transgression* (Oxford: Berg, 2005), 5.

not only of the social self but also of the inner self and its formation,” shaping who a person is, how they perform their identities, and shape our way of seeing in the process.⁴³³ They are full of subliminal messages and ambivalent connotations, signifying conformity, discipline, order, and moral rectitude.⁴³⁴ These meanings include “rules of wearing and not wearing that are often unstated or only partially stated,” and sometimes arbitrarily applied.⁴³⁵ She argues that wearing a uniform “properly” carries more social importance than the uniform itself, and that enforcing “correct” uniform practice “is central to the social life of the uniform.”⁴³⁶ This involves both rewards (such as social status and authority), and punishment for transgression (loss of status, public censure, etc.) While Dhillon has certainly experienced the former as a decorated RCMP officer, he experienced the latter immediately by challenging the “proper” standards. Uniforms convey distinct structural relationships that form the frameworks for encounters with uniformed individuals. Craik explains that it is “essential” that both the viewer and the wearer “share a common code” so that the uniform “can ‘work’ as a social marker.”⁴³⁷ Dhillon’s transgression demonstrates what happens when someone seeks to modify this common code. “The uniform, then, is a radical form of clothing that is employed to announce a particular type of identity that acts both as shorthand of the kind of behaviour exhibited by the wearer and expected by the observer.”⁴³⁸ This individual and group authority then transforms into the power of government.⁴³⁹

⁴³³ Jennifer Craik, *Uniforms Exposed*, 4.

⁴³⁴ Craik, *Uniforms Exposed*, 3-4.

⁴³⁵ Craik, *Uniforms Exposed*, 4.

⁴³⁶ Craik, *Uniforms Exposed*, 4.

⁴³⁷ Craik, *Uniforms Exposed*, 8.

⁴³⁸ Craik, *Uniforms Exposed*, 5.

⁴³⁹ Lawrence Langner, “Clothes and Government” in *Dress, Adornment, and the Social Order*, Mary Ellen Roach and Joanne Eicher, eds. (New York: John Wiley, 1965).

Unlike most Canadians, Dhillon himself was aware that his uniform had roots in India, and was fully cognizant of the irony surrounding some Canadians' staunch defence of it as it was.

That perspective that others had around protecting this symbol, this Canadiana, I didn't connect with that. I was having trouble because I went into the library to research the RCMP because I wanted to be informed. How it all came about, changes in the headgear, from the pill cap to the pith helmet to the Stetson to the forge cap. And I'm thinking, "Well, okay! We've had a few changes already." And the red serge itself comes from the UK. ... And the coca cola pants, the breeches ... come from India. From the mounted regiments from India. ... And then we adopted them from there. So the folks that were out there saying, "Hey, this is Canada" didn't realize part of Canada came from India already.⁴⁴⁰

Dhillon was correct that the uniform underwent several changes, including the almost sacred Stetson. For much of its early history the Mounted police used a variety of hats. In 1894, seeking to create some uniformity amongst his command at Fort McLeod, Superintendent S.B. Steele ordered four dozen "cowboy hats" from the United States. These were likely the "Boss of the Plains" pattern of Stetson, developed by John Batterson Stetson during his travels through the West in the 1860s and produced in the 1870s. The model had a stiff brim 3 to 4 inches wide, a 4 to 4.5 inch crown, shaped into a "Montana peak" — shaped to a peak and creased on four sides. By 1902 it was still not regulation, so on March 12 Commissioner Perry pressured the comptroller to see to its formal adoption. As with Dhillon's turban, such a move required an Order-in-Council, which formalized the regulation pattern Stetson on June 22, 1904.⁴⁴¹

Like the Mounties in the northwest of Canada, Sikh officers acted as colonial agents for the British empire in Asia. This history is directly linked to Dhillon's own; when Perak (a state in

⁴⁴⁰ Dhillon interview.

⁴⁴¹ James J. Boulton, *Head-dress of the Canadian Mounted Police, 1873-2000* (Calgary: Bunker to Bunker Publishing, 2000), 37-38.

the northwest of peninsular Malaysia) became part of Britain's colonial holdings, the first Sikhs arrived to serve as policemen in the newly formed Armed Perak Police in 1881.⁴⁴² After that, Punjabis regularly migrated throughout Malaya (later Malaysia) and other Asian colonies.⁴⁴³ Ballantyne describes how, "Encounters with Sikh policemen, soldiers, and doormen became a typical set piece in imperial travel accounts of Singapore, Penang, Hong Kong, and Shanghai, while the turbaned kes-dhari 'Sikh policeman' became a popular staple in imperial ephemera, especially on postcards and ... cigarette cards."⁴⁴⁴

The Sikhs played a disproportionate role in affecting the image of the British Indian empire. While they only made up 1% of the Indian population, and were almost entirely geographically limited to the Punjab, Sikhs made up 20% of the British military in India. Anthropologist and scholar of British colonialism in India Bernard S. Cohn explains this situation:

Unlike many of their conquered subjects, who struck the British as superstitious and effeminate, the Sikhs were considered manly and brave. ... Captain R.W. Falcon, author of a handbook for British officers in the Indian army, described the Sikh as 'manly in his warlike creed, in his love of sports ... a buffalo, not quick in understanding, but brave, strong and true.' In short the Sikhs ... were to become perfect recruits for the Indian army.⁴⁴⁵

The East India Company's army actively recruited Sikhs within months of their defeat. The officers who had so recently fought the Sikhs now insisted on their recruits being from among the Khesadhari - the Khalsa Sikhs.⁴⁴⁶ "Only those Sikhs who looked like Sikhs—wearing those badges of wildness, the beard and unshorn hair— were to be enrolled. It was also official

⁴⁴² Ballantyne, *Between Colonialism*, 73.

⁴⁴³ Ballantyne, 73.

⁴⁴⁴ Ballantyne, 73.

⁴⁴⁵ Cohn, "Cloth, Clothes, and Colonialism," 307.

⁴⁴⁶ Cohn, 308.

policy to provide every means for the Sikhs to preserve intact the distinctive characteristics of their race and peculiar conventions and social customs.”⁴⁴⁷ Swarn Singh Kahlon, author of *Sikhs in Latin America*, agrees. “The British decided not to decimate the Sikh army, but instead to utilize them. In order to build loyalty to the Empire they insisted on loyalty to Sikhism. The army mandated no cutting hair. When a soldier came back from the village they checked to see, and if he had cut any hair he would be sent to detention.”⁴⁴⁸

The RCMP — a century and a world away — shared many of the paramilitary methods and trappings of its British empire counterparts in India. The RCMP’s commanding officers viewed,

... recruits and their bodies as resources to be managed and disciplined. The hierarchical structure of the RCMP demanded conformity, right down to the undergarments worn by recruits. Individualism was dissolved in an effort to train recruits to unquestioningly obey the power and authority of senior officers not only at the academy, but also once they were in the field.⁴⁴⁹

In a former colony predominantly populated with Western Europeans and their descendants, the Canadian RCMP handled ethnic diversity in their ranks differently than the British in India. “The RCMP identified itself as a force of white, adult males with imposing physical characteristics, a branding that transcended simple understandings of a masculine ideal. A robust physique was equated with high levels of manly aggression and suggested to the general public that Mounties were more than capable of responding to physical violence with force if necessary.”⁴⁵⁰

Supporting this was a general “unquestioned belief in white, male privilege and power as normative in Canadian law enforcement.”⁴⁵¹ Reilly Schmidt expands on this:

⁴⁴⁷ Cohn, “Cloth, Clothes, and Colonialism,” 308.

⁴⁴⁸ Harjant Gill, *Roots of Love*, produced by Rajiv Mehrotra. Public Service Broadcasting Trust, 2011.

⁴⁴⁹ Reilly Schmidt, “Women in Red Serge,” 126.

⁴⁵⁰ Reilly Schmidt, 33.

⁴⁵¹ Reilly Schmidt, 126.

Throughout much of its history, the RCMP has been white, Anglo, Protestant, and male, illustrating how socially constructed identities intersected to uphold the power enjoyed by this hegemonic group within society. The whiteness of RCMP officers was an indication that race and ethnicity mattered to the RCMP, a state institution in which differences were seldom accommodated but rather deployed to reinforce unequal power.⁴⁵²

What then would a brown-skinned, turban wearing officer convey to the general public? While it was never overtly discussed on the record, I argue that opposition to the turban in the RCMP was at least in part rooted in a belief that a brown man in a turban was a threat to the almost-instinctual belief in the strong white man as the embodiment of a reassuring presence. In his images, Friberg's Mounties comforted and encouraged the Canadian population — namely white women and the occasional layman. In the early narratives of the Mounties, brown men only appeared as Native men being tamed or restrained. In 1975 the first uniformed Indigenous special constable troop graduated from the training academy and began serving on reserves, marking the beginning of a slow shift in the racialized hiring practices of the RCMP.⁴⁵³ When Dhillon applied to the force in the late 1980s, its diverse hiring policies were still in their infancy. In addition, Canadians did not share the British experience of seeing Sikhs as warriors and or as a potential pool of effective law enforcement.

Being embedded in the colonial military recruitment networks gave Sikh soldiers mobility within the Commonwealth. This important connection between colonialism and mobility explains how the imperial framework of the Sikhs' past resulted in disproportionate numbers of Sikh Punjabis in early migration from India to Canada's west coast.⁴⁵⁴ Sikhs enjoyed

⁴⁵² Reilly Schmidt, "Women in Red Serge," 19.

⁴⁵³ Reilly Schmidt, 20.

⁴⁵⁴ Walton Roberts and Jakobsh, "A Century of Miri Piri," 29.

a privileged position within the British empire and, at the very least expected equal treatment in Canada as members of the Commonwealth. These British subjects posed a particular problem for the Canadian government. As scholars Doris Jakobsh and Margaret Walton Roberts explain:

The stability of British colonial rule in India depended upon a certain level of acquiescence on the part of Indians in exchange for a sense of Imperial benefit. Delimiting the value of this colonial membership by constraining the Indian subject's mobility was dangerous during this early period of the 1900s; British ability to maintain colonial control in India rested heavily on Sikh regiments recruited in Punjab.⁴⁵⁵

British Columbia however, "had little interest in prioritizing the Home Office's geopolitical concerns over their own desire to prevent increased numbers of migrants from Asia entering Canada."⁴⁵⁶

Sensitive to the British demand that Canada not explicitly discriminate against Indians (thereby not inflaming nationalist interests in India), the federal government developed the 1908 Order-in-Council, which banned any immigrants who did not arrive in Canada by way of a continuous journey. "The only scheduled continuous journey from India to Canada was via Canada Pacific Railway company steamship lines, and on March 26, 1908 (two months after the Order-in-Council was passed), the CPR – under instruction from the Government – issued a directive to its India offices disallowing further sales of through-tickets from India to Canada."⁴⁵⁷

While there is not space here to address it adequately, it is worth noting that this legislation led to the infamous case of the Komagata Maru where approximately 400 immigrants (all Punjabi and predominantly Sikh) attempted to land in British Columbia, but were denied entry. The Sikhs stayed in the Vancouver harbour for two months in the summer of 1914, believing they would

⁴⁵⁵ Walton Roberts and Jakobsh, "A Century of Miri Piri," 3.

⁴⁵⁶ Walton Roberts and Jakobsh, 3.

⁴⁵⁷ Walton Roberts and Jakobsh, 3.

ultimately be allowed in. Gurdit Singh Sirhali, a wealthy Sikh who had chartered the ship and acted as spokesperson for the passengers, was certain “the spirit of fair play he believed was evident in the British legal framework would prevail.”⁴⁵⁸ The city authorities denied them access to food or water and refused to allow any off the ship. Indians in the Vancouver area brought them food and water until two Canadian naval ships escorted the Komagata Maru out of Canadian waters on July 23, 1914. A British gun boat stopped the ship when it arrived in India and officers attempted to arrest 20 men they considered Punjabi nationalist leaders. When the men resisted arrest the gun boat opened fire and 19 passengers were killed. Several passengers escaped in the chaos, and the rest were imprisoned for the duration of World War I.⁴⁵⁹

Sixty years later, Canada changed its racially exclusionary immigration laws in 1976, opening its doors to migrants from around the world. Shortly after, in the early 1980s, violence erupted across the Punjab. In 1984, fundamentalist and nationalist leader Sant Jarnail Singh Bhindranwale and his followers entrenched themselves in the *Darbar Sahib* (Golden Temple, Sikhism’s holiest place) in Amritsar, Punjab, leading Prime Minister Indira Gandhi to instruct the Indian army to storm the Temple. Sikhs around the world were enraged at the violation of their sacred site and the death of thousands of civilians.⁴⁶⁰ Four months later two of her body guards, Beant Singh and Satwant Singh (with accomplice Kehar Singh — all Sikhs) assassinated Indira Gandhi. In revenge for her assassination at least 3000 Sikh civilians were murdered in a state-sanctioned anti-Sikh massacre that spread across India, but centred in New Delhi.⁴⁶¹

⁴⁵⁸ Walton Roberts and Jakobsh, 3.

⁴⁵⁹ Kevin Nguyen, “The Komagata Maru Incident as a Violation of Human Rights,” Ontario Human Rights Commission, 2015, <http://www.ohrc.on.ca/en/komagata-maru-incident-violation-human-rights>.

⁴⁶⁰ Patricia Gossman, *Human Rights Watch Field Report*, Asia Watch, 1990, <https://www.hrw.org/sites/default/files/reports/INDIA918.PDF>.

⁴⁶¹ G.T. Nanavati, Justice Nanavati Commission of Inquiry: 1984 Anti-Sikh Riots, Government of India, 2005, http://www.mha.nic.in/hindi/sites/upload_files/mhahindi/files/pdf/Nanavati-I_eng.pdf. This is the official number, but unofficial estimates put the number of dead significantly higher.

Fleeing this escalating brutality, over 2800 Sikhs applied for asylum in Canada between 1981 and 1984 under Canada's new Immigration Act. Under the advice of the Refugee Status Advisory Committee, the Immigration Minister denied these applicants refugee status. A collection of private Sikh citizens, the Canadian Council of Churches, and the Federation of Sikh Societies successfully appealed the case to the Supreme Court as *Singh vs. Minister of Employment and Immigration*, [1985] 1 S.C.R. 177.⁴⁶² Two months later the fight for a Sikh homeland (Khalistan) exploded in the lives of Canadians with the bombing of Air India Flight 182 en route from Toronto to London, England, in which all 392 people on board — most of them Canadians with Indian ancestry — were killed. Sikh homeland extremist Inderjit Singh Reyat was convicted three times for the mass murder, while two other appellants — Ripudaman Singh Malik and Ajaib Singh Bagri — were acquitted.⁴⁶³

The 1980s saw Sikhs become a more visibly present part of Canada, particularly in the West, but “While other diasporic communities enhanced their status through official engagement with the state ... Sikhs in Canada struggled to inhabit the model minority image, with only some managing to achieve it by shunning the outward symbols of Sikhism.”⁴⁶⁴ Sound bytes about Sikh nationalism and images of the bearded and turbaned Singh Reyat in the media fuelled and exacerbated Canadian discomfort with visibly embodied Sikhism. Baltej Singh Dhillon recalls the situation:

After the Air India bombing the “Freedom Fighters” became terrorists. And the people that took innocent lives are absolutely terrorists. ... No question about it and the faith doesn't support it. ... But it's very difficult to have deep conversations with 26 million people. You're dealing with sound bytes at the

⁴⁶² Walton Roberts and Doris Jakobsh, “A Century of Miri Piri,” 5.

⁴⁶³ Terry Milewski, “Inderjit Singh Reyat, Air India Bomb-maker, Gets Out 30 Years Later,” CBC News, British Columbia, January 27, 2016, <http://www.cbc.ca/news/canada/british-columbia/reyat-parole-air-india-analysis-1.3421505>.

⁴⁶⁴ Walton Roberts and Jakobsh, 6.

very best. And then you're left with people's personal opinions fuelled by filters that already exist. "They bring all this violence with them. They, they, they." And the singular contributions, the sincerity of the faith, the commitment of the people that are here to be full fledged contributing Canadian citizens is lost. ... There were many who raised their voice against what was going on in India and they were labeled as ... terrorists ...⁴⁶⁵

Dhillon was not on any federal black lists but he did embody the visual representation of a Sikh extremist — at least in the popular Canadian imagination.

But what message were the Canadian *kes-dhari* communicating with their turbans that most Canadians were not receiving? Also called the *dastar* or the *pagri*, the turban is a symbol of Sikh (traditionally male) identity and values.⁴⁶⁶ When a young man or woman feels they are ready to live up to these standards they are baptized into the Khalsa (the body of believers). The five symbols initiated Sikhs wear all begin with the letter *k* and are therefore called the Five K's of Khalsa. These include *kesh* (uncut hair), *kangha* (comb), *kachh* (short breeches), *kara* (steel bracelet), and *kirpan* (dagger).⁴⁶⁷ For the purposes of this study, *kesh* is the most significant. Sikh scholar Doris Jakobsh explains:

Kesh has been understood as a symbol of holiness and strength. Devout Sikhs believe hair is a gift from God that must be left in its natural state. Wearing the hair uncut also makes Sikhs highly visible as a group. Hair must remain uncut from any part of the body, although many Sikh women pluck their eyebrows and many Sikh men trim their hair and beards while still upholding the basic injunction of keeping their hair long. The *khanga* symbolizes restraint and self-control and is used to keep the uncut hair tidy and in place. This represents bodily and spiritual purity.⁴⁶⁸

⁴⁶⁵ Dhillon interview.

⁴⁶⁶ In recent years, some Sikh women have also adopted the turban. See Doris Jakobsh, "Seeking the Image of 'Unmarked' Sikh Women: Text, Sacred Stitches, Turban," in *Religion and Gender* 5, no.1, (October 2015): 35–51.

⁴⁶⁷ Jakobsh, *Sikhism*, 59.

⁴⁶⁸ Jakobsh, 59-60.

Although not itself a requirement, the turban has sacred significance in its role binding the uncut hair. Sikh boys may wear a *patcha* to cover their hair until a maternal uncle ties their first turban in the *Dastar Bandi* ceremony at a gurudwara.⁴⁶⁹ Turbans are made from a length of fabric ranging from five to eight meters, usually made of light cotton in a variety of colours, textures, and qualities. A Sikh turban is wound in a distinctive fashion with a final front twist generally passing from right to left. The final style is a matter of personal preference, whether it's tight or relaxed, high or low, close to the head or prominent. Many wear a decorative cloth band under the turban, called a *fifthy*, that goes across the forehead where it is visible. When Dhillon was issued the first RCMP uniform turbans he received two: one was dark blue with a yellow *fifthy* that aligned with the forage cap for duty dress, and the other was brown with a darker brown *fifthy*, approximately the same browns as the Stetson and its leather hat band for Review Order. The Officer in Charge of the Material Management Branch in Ottawa met with a member of the Sikh Community in May 1990 to discuss design. The RCMP followed regulations from the Canadian Military regarding turbans, while consulting Dhillon in a November 1990 meeting, until it developed its own later that year. The new RCMP regulations required the turban to be worn “in the low Sikh conventional manner,” tightly wound, “with the final winding right over left neatly on the forehead to conceal the hair.”⁴⁷⁰ They developed an issue badge with a brooch pin, which Sikh officers must wear centred on the front of the blue turban, “with the bottom edge 1.2 cm above the lower edge of the crossing point of the final winding of the material.”⁴⁷¹

In *Roots of Love*, a documentary about the tensions around maintaining the turban tradition and young men cutting their hair, two separate interviewees use the word “murder” to

⁴⁶⁹ Gill, *Roots of Love*.

⁴⁷⁰ Boulton, *Head-dress*, 125.

⁴⁷¹ Boulton, 125.

describe cutting a Sikh's hair.⁴⁷² The traditionalist elders in the film insist that if a Sikh so much as trims his beard he is no longer a Sikh. A young man, who like many others cut his hair to be more "stylish," sits quietly as his parents explain that his choice broke their hearts and that until he "returns to Sikhism" he is not truly their son. His father explains, "From head to toe, he who clips his hair, even if he only clips one hair, he is no longer a Sikh. Guru Gobind Singh has taught us cutting hair is a sin for which one must present himself at the Akal Takht, readopt Sikhism, apologize for his mistake, and promise never to do it again."⁴⁷³ Another mother, whose son (Jagvir) is only 14, agrees. She describes how, if her son chooses to go against her wishes, namely by cutting his hair or marrying for love, he will be "kicked out" of their house and they will have no son. "If he wants to disobey us and dishonour Sikhism then he can go his own way."⁴⁷⁴ For now, Jagvir is happy to comply and the family is preparing for his *Dastar Bandi*.⁴⁷⁵ An elder explains, "[We teach kids] you are crowned. And after today you must live up to this responsibility."⁴⁷⁶ Jagvir's mother explains, "You could say ... the turban is like a crown that we wear on our heads. Guru Gobind Singh instated the turbaned Sikh. And he told us that we need no other crown. 'Singh' refers to a lion, and ... the Sikhs are a race of lions."⁴⁷⁷

Baltej Singh Dhillon, like most Canadian Sikhs, does not agree with such a strident view of who is "in" and who is "out." In discussing the isolation of today's Sikh youth he is specific on this topic:

If I go to the gurudwara ... I want skills, and I want tools, and I want to be held. What I don't want is to be institutionalized in that particular religion or have that religion shoved down my throat and told if you don't do this then you're a bad

⁴⁷² Gill, *Roots of Love*.

⁴⁷³ Gill, *Roots of Love*.

⁴⁷⁴ Gill, *Roots of Love*.

⁴⁷⁵ Gill, *Roots of Love*.

⁴⁷⁶ Gill, *Roots of Love*.

⁴⁷⁷ Gill, *Roots of Love*.

person ... [or] you'll go to hell. I don't subscribe to any of that. My creator is a creator of love and care and compassion. Not one of fear and distance and one that judges you because this morning you didn't do all of your prayers ... It's the holistic process. It's what did you do between then and going to bed. Did you treat people right? Did you cause anybody injury? Did you cheat, lie? Did you defraud? ... If you did then you've ... offended the creator. And it doesn't matter how many prayers you do it isn't going to change anything.⁴⁷⁸

Dhillon holds a broad view on Sikhism, but his commitment to Sikh values is evident throughout his choices and actions surrounding the RCMP turban debate. Walton Roberts and Jakobsh argue that in the Khalsa, “these ideals were brought to their highest expression in the ritualized creation of a society motivated by both spiritual and temporal ideals, the *sant-sipahi* ...”⁴⁷⁹ The *sant* is the ideal Sikh, “one who possesses humility and piousness, yet who is also imbued with the martial qualities of the *sipahi*, the soldier, ‘ever courageous and bravely prepared to fight gallantly for justice ...”⁴⁸⁰ When describing the violence that broke out on the Komagata Maru, Gurdit Singh later stated, “I preferred death with my friends as no Sikh once he has been baptized and made a ‘Singh’ should abandon the field. That is the permanent command of Guru Gobind Singh.”⁴⁸¹ Like Gurdit Singh almost eighty years before him Dhillon’s actions demonstrate that he was devoted to *miri piri* — “the idea that the spiritual and political cannot be separated in the fight for justice.”⁴⁸² Put differently, *miri piri* is, “the Sikh demand that justice be sought and righteously achieved.”⁴⁸³ Throughout the 20th century, Sikhs in Canada have used their commitment to *miri piri* to challenge exclusionary policies and practices. These ideals of striving for the common good while combatting injustice, refusing to leave the field of battle (metaphorical or otherwise) while embodying humility and piousness are clearly at the heart of

⁴⁷⁸ Dhillon interview.

⁴⁷⁹ Walton Roberts and Jakobsh, “A Century of Miri Piri,” 2.

⁴⁸⁰ McLeod quoted in Walton Roberts and Jakobsh, 2.

⁴⁸¹ Gurdit Singh quoted in Walton Roberts and Jakobsh, 2.

⁴⁸² Walton Roberts and Jakobsh, Abstract.

⁴⁸³ Walton Roberts and Jakobsh, 1.

both Baltej Singh Dhillon's initial attraction to the RCMP, and his commitment to seeing the uniform challenge through. Dhillon explains:

[People would say to me] "it's just taking off your turban, it's just cutting your hair." And I would say, that's where you're wrong. What you're asking me to do is give up on 23 years of what I have now become. So if I can take my turban off and cut my hair for a \$50,000 a year job, then you need to be worried about who you're hiring. Because when organized crime comes along and offers me \$500,000 then I will absolutely ... sell myself to that group. ... Because if I don't bring values with me you are not going to teach me values. ... There's no law or written word that's going to take the place of the values you're bringing in. When I came in to the RCMP all of my values and principles matched up word for word.⁴⁸⁴

Very few Canadians were familiar with the tenets and values of Sikhism that led Dhillon to insist on retaining his turban and hair. Instead, the Air India bombing, the conflicts in India, and a general Canadian ignorance around Sikhism drowned out his embodied message of the turban as a visible signifier of his devotion to these values.

In 1989-90, as Dhillon's case worked its way through bureaucracy and public opinion, Brian Mulroney was Prime Minister and leader of the Progressive Conservative (PC) party.⁴⁸⁵ Canada operates under a multi-party parliamentary system. Canadians vote for a local Member of Parliament (MP) to represent their interests in the federal government. This MP represents a party, and the party that wins the most number of seats in the election forms government with the party leader serving as Prime Minister. The party that wins the second highest number of seats forms the official opposition. Other official parties then hold seats and often form alliances to sway votes. The three most powerful parties are generally (from right to left) the Conservatives, the Liberals, and the New Democratic Party (NDP). To understand the political context of Dhillon's and Ishaq's cases it is necessary to be familiar with Canada's major parties. While

⁴⁸⁴ Dhillon interview.

⁴⁸⁵ See discussion in Chapter Five about Canada's political party system.

Brian Mulroney's Progressive Conservatives formed government during the RCMP turban debate, the Liberal Party was the official opposition under the leadership first of John Turner and then Herb Gray (later-Prime-Minister-Jean Chrétien succeeded Gray shortly after Dhillon's turban case was settled). Colloquially known as the Grits, the Liberal Party is Canada's oldest party, espouses political liberalism, and generally sits in the centre of Canada's political landscape. The NDP, under Audrey McLaughlin, held official party status in Parliament. The NDP espouses social democracy and sits to the left of Canadian politics. They are often Canada's third largest party, at times forming an alliance with the Liberal Party, such as under Pierre Trudeau's minority government from 1972-1974.

For the sake of these case studies it is helpful to be aware of three of Canada's other parties. The Green Party, formed in 1983, focuses on ecological issues, social justice, non-violence, and grassroots democracy. The Bloc Québécois formed in 1991 to promote Quebec's interests and sovereignty in the House of Commons. The Reform Party of Canada was officially formed in 1987 under the leadership of Preston Manning. More conservative than the PC Party, the Reform Party held a platform of reducing federal government, including cuts to bilingualism and multiculturalism. Throughout the 1990s, the Reform Party and the Bloc gutted Progressive Conservative seats in Parliament. Though Manning worked to portray the party as a national voice, it never moved far beyond its role as a representative for the West, and the counterpoint to the Bloc. It ran its last election in 1997, and its remains became the Canadian Alliance Party in 2000. In 2002, Stephen Harper (later Prime Minister during Ishaq's case) became the new leader of the Alliance, and under his leadership it merged with the PC Party to become the Conservative Party of Canada in 2003.

In 1984, before there was a Bloc or a Reform Party, Mulroney took power with the largest sweep of Parliamentary seats in Canadian history. Mulroney successfully brought together Québécois and Westerners (a historically momentous feat) and managed to keep the notoriously fractious Progressive Conservative party united. By the early 1990s, however, after several constitutional failures and lingering resentment over the Government Sales Tax (GST) his popularity had run its course and in 1993 he handed over the office of Prime Minister to fellow PC Kim Campbell. During his time in office Mulroney considered himself a centrist conservative, and took an active interest in social and environmental issues.⁴⁸⁶ During the turban debate he largely kept his distance, preferring to allow RCMP Commissioner Norman Inkster and Solicitor General Pierre Cadieux (who both serve at the Prime Minister's pleasure) to make their own rulings.

Mulroney's western MPs and their opposition counterparts did not share this reservation. In a 1989 article for *The Globe and Mail*, journalist Peter Moon reported, "Barbara Sparrow, a Tory MP from Calgary and chairman of the western caucus, said she has received thousands of letters and more than 103,000 signatures on petitions from people who want 'the preservation of the distinctive heritage and tradition of the RCMP by retaining the uniformity of the dress code.'"⁴⁸⁷ In March 1990, Conservative MP Louise Feltham of Alberta told *The Globe and Mail*, "I have talked to hundreds of Sikhs ... and they all tell me the same thing: it is not a religious item."⁴⁸⁸ She added that residents of her Calgary-area riding of Wild Rose, "generally just feel it is not a religious item," and neither did she.⁴⁸⁹ Feltham argued that it was "not good enough" to

⁴⁸⁶ Norman Hillmer. "Brian Mulroney," in *The Canadian Encyclopedia*, 2015, <http://www.thecanadianencyclopedia.ca/en/article/brian-mulroney/>.

⁴⁸⁷ Peter Moon, "Turbans, the RCMP - and Politics," *The Globe and Mail* (Toronto, ON), November 11, 1989.

⁴⁸⁸ Howard, "Cadieux Gives Sikh Mounties Right."

⁴⁸⁹ Howard, "Cadieux Gives Sikh Mounties Right."

let the RCMP Commissioner judge that it was in fact religious, “and she hinted that the policy might be challenged in the courts.”⁴⁹⁰ Late in December of the same year, in an interview with CBC’s *The Journal*, Reform Party Leader Preston Manning told the country that, “nothing has done a greater disservice to the Sikh community than the squabble over the turban ...”⁴⁹¹ He argued that the controversy divided the country and went on to explain his party’s platform, “of abandoning the cultural mosaic and striving instead for a Canada that becomes more of a melting pot in the same manner as the United States.”⁴⁹² On the other side of the aisle, *The Globe and Mail* reported that, “[New Democrat MP John Brewin] said the exemption for turbans was required by law and was not a matter of changing rules merely to suit cultural conventions. He praised Sikhs for their interest in joining the RCMP.”⁴⁹³ Conservative MPs from Western provinces speaking on behalf of many of their constituents maintained that the scarlet tunic, boots, and Stetson hat together, “constituted a cherished symbol of the nation, part of an honourable and internationally recognized Canadian tradition that should not be jeopardized by minority demands.”⁴⁹⁴ Liberal and NDP MPs, on the other hand, wanted the RCMP to reflect Canada’s religiously and ethnically diverse population. Moreover, they argued that Canadian traditions did not exist in static monuments but in the practice of pluralism and acceptance.⁴⁹⁵

This stance was deeply unpopular in the west. Considering a Mountie in a turban an anathema, three sisters in Calgary called themselves “Defenders of RCMP Tradition” and gathered 210,000 signatures for a petition they delivered to Parliament opposing the change. An

⁴⁹⁰ Howard, "Cadieux Gives Sikh Mounties Right." Former RCMP officers did pursue a case to have the dress injunction blocked, but the Supreme Court ultimately ruled against them.

⁴⁹¹ Quoted in “Turban Row Hurts Sikhs, Manning Says,” *The Globe and Mail* (Toronto, ON) December 13, 1990.

⁴⁹² All authors. “Turban Row Hurts Sikhs, Manning Says.”

⁴⁹³ Howard, "Cadieux Gives Sikh Mounties Right."

⁴⁹⁴ Coombe, *The Cultural Life*, 138.

⁴⁹⁵ Coombe, 138.

“MP from Calgary” unsuccessfully attempted to introduce a private member’s bill enshrining the RCMP uniform as an official symbol of Canada’s sovereignty.⁴⁹⁶ Journalist Ross Howard reported that, “Some Conservative MPs, including Calgary backbencher Barbara Sparrow and [Louise] Feltham, endorsed the opposition to turbans.”⁴⁹⁷ Herman Bittner was a 43 year old welder from Langdon, Alberta who sold \$6 calendars mocking the idea of a Sikh Mountie in a turban. In an interview with the CBC Bittner acknowledged that he had never met a Sikh but argued, “You have to be a little bit provocative to get people's attention. Am I really being racist, or am I standing up to save something that will be lost forever?”⁴⁹⁸ Others developed posters, t-shirts, and lapel pins. Over 10,000 posters were sold depicting a black-face Sikh caricature named “Sargeant Kamell Dung,” and below the officer a quote that read: “Is this Canadian? Or does this make you sikh?” The pins included similarly overtly racist visual messages. One was similar to the poster with the same epitaph, except the turbaned Mountie had a strike through his neck. Another depicted a weak white man surrounded by caricatures of an African man with a spear, an Asian man in “traditional” dress, and a brown skinned man in a turban. The caricatures loomed menacingly over the white man and the inscription read, “Who is the minority in Canada?” A third had a traditional blonde white male RCMP officer in red serge and Stetson. On his left is an Indigenous man’s head with braids in a circle with a strike through it, and on his right a Sikh man’s head with a turban, also in a circle with a strike through it, accompanied by the words, “Don’t mess with the dress.” In another, a blonde white Mountie in red serge and Stetson crosses his arms behind his back and smiles affably with the Canadian flag behind him.

⁴⁹⁶ Winsor, “Sikh ‘Mountie’ Makes History.” The article does not specify which MP.

⁴⁹⁷ Howard, “Cadieux Gives Sikh Mounties Right.”

⁴⁹⁸ William Claiborne, “Canada Says Sikhs Can Wear Turbans,” *The Washington Post* (Washington, D.C.), March 16, 1990.

Above him are the words, “Preserve our heritage.” In the bottom left corner of the pin a circle sticks out with a white turban inside against a dark blue backdrop and an X through the turban. Below it says “Ban the turban.”⁴⁹⁹ Dhillon was aware of these campaigns and told *The Toronto Star*, “I, at this point, cannot change those feelings. That acceptance has to come from within.”⁵⁰⁰ His wife Suroy also weighed in saying that, “the anti-turban campaign was typical of the hostility Sikhs still face in Canada.”⁵⁰¹

At no point does it seem to have occurred to the pin wearers that they were enacting the very offence they were accusing Dhillon of — belittling the uniform by presenting it in an alternate way. These individuals literally wore these pins with caricatures of the Mountie uniforms in order to protest an official alteration done to uniform code. The federal government considered criminal charges but decided not to pursue them.⁵⁰² Intellectual property laws scholar Rosemary J. Coombe explains that, “What government didn’t do, but could have done, was to evoke its powers under the Trade Marks Act to prevent distribution of this merchandise. Under the act, no one can commercially use any pictorial representation of an RCMP officer without the consent of the public authority.”⁵⁰³ In November of 1989, Liberal justice critic and former solicitor-general Robert Kaplan, who supported Sikh Mounties wearing turbans, told *The Globe and Mail* that he had been “inundated with hate letters.” “My God, some of it has just been awful. Most of it comes from Alberta, and they call me a traitor.”⁵⁰⁴ Kaplan formally complained to Alberta’s Attorney-General Ken Rostad about “a Calgary businessman” selling the offensive

⁴⁹⁹ “Anti-Turban Pin Collection,” Sikh Heritage Museum of Canada, (Mississauga, ON), 2016.

⁵⁰⁰ All Authors, “Canada ‘All About Change’ for First Mountie with Turban,” *The Toronto Star*, (Toronto, ON), March 15, 1991.

⁵⁰¹ All Authors, “Canada ‘All About Change.’”

⁵⁰² Coombe, *The Cultural Life*, 139.

⁵⁰³ Coombe, 139.

⁵⁰⁴ Moon, “Turbans, the RCMP - and Politics.”

pins. The article does not specify who the businessman was, but it is reasonable to presume it was Bittner. Kaplan wrote replies to the people who sent him the hate mail, saying the pins were “hurtful and insulting to Sikhs,” and that Canada needed to keep its national institutions “in tune with our reality as a nation.”⁵⁰⁵

It was likely the overtly racist and exclusionary nature of the paraphernalia that forced Brian Mulroney to speak out. In March of 1990, just a few days before Cadieux gave final approval for Sikh Mounties to wear turbans, Mulroney finally weighed in and told a Toronto crowd that the, “racist depictions of turban-clad Mounties were ‘odious and reprehensible.’”⁵⁰⁶ News outlets as far away as Australia took notice. On March 17, *The Sydney Morning Herald* reported, “The Prime Minister, Mr Brian Mulroney, joined the fray last week and signalled the Government's intentions on how to resolve the dispute by likening those who opposed turban-wearing Mounties to Ku Klux Klan members. ... ‘They [the pins] are a little more elegant and less visible than the white hoods people used to wear.’”⁵⁰⁷

While opponents to the turban regularly cited the importance of uniformity for the dress uniform, there was no parallel opposition to female officers having a different uniform when they were admitted to the force in 1974, or when they consistently campaigned for the next sixteen years to be issued the same uniforms as their male colleagues. In fact, it was on the same day the RCMP announced the turban would be permitted that it finally allowed female officers to wear the Stetson and riding pants. Until then female officers wore flat heeled shoes, pantyhose, a navy skirt, a female cut red tunic, and a pillbox hat. A hat which no one — except the women themselves — opposed. These officers shared the same beliefs about embodying the image of the

⁵⁰⁵ Moon, “Turbans, the RCMP - and Politics.”

⁵⁰⁶ Howard, "Cadieux Gives Sikh Mounties Right."

⁵⁰⁷ Associated Press, “Sikh Mounties Get Their Turban,” *The Sydney Morning Herald* (Sydney: Australia), March 17, 1990.

Mountie that the men did and they were enthusiastic about donning the traditional riding boots, red serge, and Stetson. However, as historian Bonnie Reilly Schmidt explains, “A feminized uniform was viewed as one way to manage the smooth transition of women into policing ranks, while generating the positive publicity the RCMP was desirous of cultivating.”⁵⁰⁸ The women were disappointed with the “feminine” uniform and resented the difference in power it represented. They disliked the pillbox hat especially. “... It was impractical, it was unflattering, and it established the women as different from male Mounties.”⁵⁰⁹ Former officer Louise Ferguson remembered the hat as, “the main difference from the male uniform ...”⁵¹⁰ Another former Mountie Kate Morton felt the women’s uniform, “set me up as being different, especially the hat.”⁵¹¹ Morton felt that, “she was considered less than equal as an RCMP officer based on the different hat she wore.”⁵¹² Knowing how strongly she felt, a male colleague found her a man’s forage cap to wear while on patrol with the condition that she would not let her commanding officer see her wearing it.

These female officers did not only resent the pillbox hat for reasons of aesthetics and messaging, but for its impracticality. It regularly fell off while they were getting in and out of vehicles, or blew off in the wind. There was a chin strap intended to keep it on, but it proved inconvenient when the Mounties were taking it on and off several times throughout a shift.⁵¹³ The impracticality of the female uniform was not limited to their hats. Attempting to chase a criminal in heels and a skirt was not an ideal situation. In an effort to ensure that female police bodies remained “feminine,” female officers were issued purses in which to keep their guns

⁵⁰⁸ Reilly Schmidt, “Women in Red Serge,” 109.

⁵⁰⁹ Reilly Schmidt, 137.

⁵¹⁰ Louise Ferguson quoted in Reilly Schmidt, 137.

⁵¹¹ Kate Morton quoted in Reilly Schmidt, 137.

⁵¹² Reilly Schmidt, 137.

⁵¹³ Reilly Schmidt, 137.

instead of the holsters men wore. Not only was repeatedly putting on and taking off the purse impractical, keeping a gun in it was dangerous — both for the female officer herself and her male colleagues. It was awkward to access and simple for a perpetrator to grab. Even the male Mounties complained about this part of the uniform, arguing they needed their partners in the field to be able to back them up.⁵¹⁴ Reilly Schmidt explains this nonviable adaptation: “The female police body was to convey both authority and femininity, a fusion difficult to achieve in a society that viewed these concepts as dichotomous. As a result, practicality was often sacrificed for the sake of reinforcing notions of femininity and appropriate female attire.”⁵¹⁵ At no point was there a public outcry over the difference in women’s hats or the impracticality of their uniform. If the resistance to Dhillon’s turban was in fact about preserving the image of the Mountie, why was there no similar opposition to the women’s uniform, which was different in more significant ways than Dhillon’s?

While there was no public outcry over the impracticality of women’s uniforms, opponents of the turban used “practicality” as another justification. Tom Harpur, a Canadian theologian, ordained Anglican priest, religion editor at *The Toronto Star*, and author (most famous for his position on the “Christ myth”) expressed his views in an editorial for *The Globe and Mail* in August, 1990. A self-declared liberal and progressive regularly involved in interfaith work, Harpur opposed the RCMP adopting the turban. His combination of “practicality” and religious diversity opposition lends an interesting angle to the discussion. He states that he has “the greatest respect and admiration for Sikhs and for their religious beliefs” and cites examples of his support of the Canadian Sikh community⁵¹⁶ In spite of this, he disagrees with the

⁵¹⁴ Reilly Schmidt, “Women in Red Serge,” 137.

⁵¹⁵ Reilly Schmidt, 109.

⁵¹⁶ Tom Harpur, “Turbans in RCMP Decision Was Wrong,” *The Toronto Star* (Toronto, ON), March 25, 1990.

government's position arguing that they had, "opened a huge Pandora's box" and put themselves on the slippery slope of unrelenting accommodation.⁵¹⁷ He continues, "To see the issue clearly ... you have to know something about other religions — and care about them as well."⁵¹⁸ He discusses Mennonites and Quakers, and how their pacifism is clearly incompatible with an armed police force, apparently missing that such a theological stance is inherently a different matter of accommodation than a modification to a uniform hat. He wonders if Hasidic Jews' side curls and beards are not likewise beyond permissibility. After acknowledging that, "[t]here are many thousands of Jains in Canada today and very fine people they are, too" he argues that "we [cannot] imagine RCMP officers garbed in this fashion."⁵¹⁹

Harpur then turns to another group: "What about Muslims who are required by their faith to pray, facing toward Mecca and in an attitude of complete submission to Allah, five times a day?"⁵²⁰ He once again asserts his friendly disposition to this religions minority — "This is a discipline which I personally admire very much ...," but he questions its practical application as an RCMP officer: "But is it totally compatible with service on a police force which may require hours of guard duty or of stakeouts of criminals or the vigilance and waiting involved in a hostage-taking?" Needless to say, there are countless Muslims on police forces throughout Canada, and indeed the world. Does Harpur imagine that Muslim majority nations do not have police forces? Or only employ non-practicing Muslims? He argues that, "[i]f the Sikh ruling is applied fairly, however, there is no reason in the world why the RCMP shouldn't be able to

⁵¹⁷ Harpur, "Turbans."

⁵¹⁸ Harpur, "Turbans."

⁵¹⁹ Harpur, "Turbans."

⁵²⁰ Harpur, "Turbans."

change its modus operandi to suit the prayer life of dedicated Muslims.”⁵²¹ His conclusion is the crux of his argument:

The point, however, is obvious, once you begin to get this wider kind of perspective. To be really fair, tolerant and impartial on this kind of issue you would be forced to end up with such an assortment of special privileges and special outfits that any semblance of a normal police force would vanish entirely. Oddly enough, by requiring all RCMP members to wear the same uniform, one can come closer to justice and equity for all who would like to apply than in any other way. At least you avoid giving special status to some which you allow to nobody else. It's not the opponent of turbans who are the discriminators, it's the well-meaning but misguided proponents instead.⁵²²

As with the Stetson, authority is often conveyed through symbolism and, “a significant part of police authority is derived from the wearing of a uniform that must carry a ‘clear message’ to the public about a police officer’s status and powers.”⁵²³ If, for the past century, the Mounties communicated this “clear message” through square-jawed, broad shouldered, caucasian men in red serge and Stetson (at least in the popular imagination), then what would a brown-skinned, black-bearded, turbaned officer embody? Would citizens understand the turban to convey authority? Like the women who joined the force before him, Dhillon did encounter citizens who did not initially read his presentation as authoritative. At his first posting in Quesnel, British Columbia, Dhillon spoke with a woman on the phone about a break-and-enter. He told her he would like to come examine the broken window and she agreed. When he arrived at her house, as he stepped out of his squad car, she ran out of the house and down the driveway yelling, “Not you! Not you! I want Constable Dhillon!” He explained that he *was* Const. Dhillon

⁵²¹ Harpur, “Turbans.”

⁵²² Harpur, “Turbans.” Harpur makes a common error, equating accommodation and equity with sameness, arguing that being “tolerant and impartial” requires “all RCMP members to wear the same uniform ...” describing this as a “normal police force.” Harpur’s comments reveal a bias toward Eurocentric presentation and practice as normative and inherently “fair,” while demonstrating a lack of the very nuanced understanding of religion and accommodation he is purporting to espouse.

⁵²³ Reilly Schmidt, “Women in Red Serge,” 114.

and that she could speak with him or no one. When she realized this was the same officer she had spoken with on the phone, “her eyes got as large as saucers. She didn’t think I could speak English.”⁵²⁴ Dhillon “in the flesh” did not meet her expectations of the reassuring officer with whom she had spoken. This woman also demonstrated, however, that what Canadians expected could adjust. Once she overcame her surprise she welcomed Dhillon into her home and served him tea and cookies.

In another case Dhillon was ticketing a parked truck in violation. The truck’s owner quickly emerged from a bar, hurling profanities and racial slurs at Dhillon. Once the man realized it was a minor infraction easily remedied he calmed down and left. Five hours later Dhillon entered the bar with his corporal. The same man approached them and asked to speak with the corporal privately. Dhillon waited outside, assuming the man was making a complaint. His corporal came out a moment later, chuckling. The man wanted to know how many Sikh officers there were in Quesnel, because one had spoken to him earlier, then he saw one on traffic duty, then saw another one driving by, then saw another one attending to an accident, and now another one had just walked in. Dhillon was the only Sikh officer in the town, but this man was repeatedly unable to identify him as the same person, even after speaking with him face to face twice.⁵²⁵ These citizens were unable to read authority or protection in Dhillon’s uniform, but South Asian Canadians had the opposite experience. Before Dhillon was even a member of the Force, when he rode along as a volunteer, these individuals assumed he was an officer and walked past the actual Mounties to address him. Dhillon understood that they found comfort in his presence and saw protection and authority embodied in him.

⁵²⁴ Dhillon, “Are We Canadian Enough?”

⁵²⁵ Dhillon, “Are We Canadian Enough?”

These Canadians likely saw something that most other Canadians could not — the meaning in his turban. As previously discussed, few Canadians understood the Khalsa or why Dhillon wore a turban. There is an important parallel between the serge and the turban, however. When a Sikh adopts the turban there are associated behavioural expectations. To wear a turban is to publicly declare that you will live up to a higher moral standard, rooted in service and justice (*miri piri*). Likewise, when an RCMP officer dons the red serge Canadians and fellow officers hold this person to a higher standard. A Dress and Department regulation from 1988 stipulates, “Appearance in both dress and behaviour has become synonymous with the position as a member of the Force, and primarily, the basis on which he/she is judged and accepted by the public.”⁵²⁶ Dhillon took his responsibilities represented in both items of dress very seriously. He was aware that he was more closely scrutinized than other officers, and that he was now a role model for young Sikhs who would choose to be officers.⁵²⁷

We’re passing this on to those who are coming after. This is not about you. Don’t walk around like a peacock. This is about you serving. This is about you being given this *huge* responsibility to make sure that while you’re in that uniform and while you’re in that turban that you leave behind a legacy and a character that the next person is going to be able to look up to. Then you will have honoured our legacy and all of our hard work.⁵²⁸

Through decades of intentional legend formation and service in practice, Canadians and their Mounties shared and exchanged an understanding around what the uniform communicates. Likewise, through a similar though longer process, Sikhs hold a communal understanding around the standards they associate with wearing a turban. Ironically, it was these very shared values

⁵²⁶ Dale Sheehan and Redd Oosten, *Behind the Badge: History of the Royal Canadian Mounted Police "Depot" Division* (Regina: Centax Books, 2006), 231.

⁵²⁷ Dhillon was not the first Sikh Mountie, but the first to wear a turban. There were already four in the Force.

⁵²⁸ Dhillon interview.

that led to some's opposition of the turban in the RCMP. A Lethbridge, Alberta, group of veteran RCMP officers objected to the uniform change, believing that the Charter of Rights "dictates a uniform which reflects the RCMP tradition of a non-sectarian, impartial justice system."⁵²⁹ The Charter does not in fact, but the point is the retired officers believed so deeply in the uniform as the embodiment of non-sectarian, impartial justice.

Thirty years after Dhillon became the first turbaned Mountie, the Canadian popular imagination has embraced him as an icon of a more recent national sacred value: multiculturalism. Any Google Image search for "Canadian multiculturalism" will instantly yield images of Dhillon in his uniform and turban. When asked how he feels about the shift from being considered a threat to enshrined Canadiana to becoming a source of Canadian nationalist pride, Dhillon responds, "I think it's our maturing. As a country, as citizens, as a nation ... and getting better as a country ... And ... when Harjit Sajjan became the Defense Minister of Canada [I felt] Okay. We're good! We are here and we are part and we are contributing and we are accepted ..."⁵³⁰ Dhillon is devoted to the idea of Canada as an inclusive nation and was pleased when the RCMP announced in 2016 that it would permit hijabs as part of the uniform. "I am so excited about it ... if we take care of each other's needs for being safe, comfortable, not being judged, not having to defend our beliefs and values, and having a capacity to honour each other's beliefs and values, then we give that person freedom ... to become creative, and not ... protective. And that's where I see we're going."⁵³¹

Dhillon's admission to the RCMP had effects beyond the Force and those invested in it. In 1991, Joan McDonald, president of McDonald Communications Consultants in Etobicoke,

⁵²⁹ "Turbans in the RCMP, Kirpans in the Schools," *The Globe and Mail* (Toronto, ON), July 27, 1990.

⁵³⁰ Dhillon, interview.

⁵³¹ Dhillon, interview.

Ontario, told *The Financial Post* that she had, “yet to run a workshop where they don’t bring up the Mounties and the Sikh turbans.”⁵³² She explained that the RCMP’s decision, “forced many Canadians to realize how much this country’s workforce has changed.”⁵³³ Dhillon personified the hybrid Canadian body: a Sikh Mountie.⁵³⁴ Dhillon considered this to be a hallmark of Canada. He told *The Sydney Morning Herald* in March of 1990 that, “If I can serve Canada by joining the RCMP and at the same time practise my religion, that is what Canada is all about.”⁵³⁵ In 2016 he expressed a similar, though more nuanced, opinion: “I find a lot of confidence and comfort in that we live in Canada, and Canada is a sort of super democracy ... Here’s ... a place where you can be free, truly free, to practice and follow the tenets of the way of life that you’ve chosen.”⁵³⁶ Dhillon does not consider this a passive reality that Canadians can simply enjoy, but that each individual has a stake in:

[Consider] the contract that we all as citizens have signed, figuratively, which is we’re going to honour each other, serve each other, protect each other, and ensure that we are not getting in the way of each other’s success, safety, and ability to become the best that we can [be] as Canadians ... This is something that is going to make us stronger and better as a country. I’m not having you worry that I will strip you of your identity, and strip you of your history and who you are. And then hope that you will contribute. ... When we say this is good, we accept — not tolerate, accept — the people are ours. Brother and sister ... Then, and only then ... our ears are open to hear ... the jewels and diamonds and great thinking that comes from that perspective, because we never had that perspective before.⁵³⁷

Dhillon considers this “contract” a mutually beneficial, and mutually responsible, arrangement.

He feels strongly about minorities contributing to Canadian society — both that they have a great deal to offer and that they have a responsibility to do so.

⁵³² Laura Ramsay, “Multiculturalism a Fact of Business Life: Cultural Diversity Takes Corporate Flexibility,” *The National Post - The Financial Post* (Ottawa, ON), October 2, 1991.

⁵³³ Ramsay, “Multiculturalism.”

⁵³⁴ Coombe, *The Cultural Life of Intellectual Properties*, 140.

⁵³⁵ Associated Press, “Sikh Mounties Get Their Turban.”

⁵³⁶ Dhillon interview.

⁵³⁷ Dhillon interview.

Dhillon embodies the combination of Sikh narratives, the Canadian diversity model, and the RCMP's understanding of duty. In discussing gurdwaras he explains that, "I've stopped saying that I have a religion many years ago. Because when I say [that] it absolutely restricts me from experiencing and participating and taking part and honouring other ways of life. So I have a way of life, not a religion."⁵³⁸ This is, according to Sikh scholar Doris Jakobsh, a very Sikh way of speaking.⁵³⁹ His understanding of sacred sites — "a place that honours the creator, that honours this universal creative energy that we might call God, Allah ... whatever you want to call it" — parallels and shapes the way he wears his turban and RCMP uniform: "When we stand at a place that honours that ... there's something greater than myself that's at work here, then you gotta be ready to perform at that level. ... And doing something greater than yourself is all about community service ..."⁵⁴⁰

Conclusion

Dhillon's story reveals a great deal about Canadians' attachment to an item of dress they consider sacred, even if they would not phrase it in such overtly religious terms. Canadians generally consider grasping a venerated manner of dress as inviolable to be a practice of religiously conservative immigrant minorities. Yet when the Mountie uniform — revered for decades after conscious masculine identity construction — was modified with an overtly religious (non-Western) item many Canadians considered it a violation on par with blasphemy.

It is important to remember that when women joined the Force there was no similar outcry, not so much as a public word in fact, even though their uniform was significantly

⁵³⁸ Dhillon interview.

⁵³⁹ Personal conversation with Doris Jakobsh, October 27, 2016.

⁵⁴⁰ Dhillon interview.

different from the traditional garb — especially the hat. This is rooted in both gender and racial norms. The RCMP was insistent on keeping its female officers “feminine,” so a clearly different (ie. un-masculine) uniform was, in their view, critical. Likewise, a feminine uniform modeled on western cuts — including a very British hat — did not register on the ethnic protectionists’ radar as a threat. It might be the most significant change to the Mountie uniform in its history, but it was a change that was aesthetically familiar to Canadians, and it did not challenge the men’s uniform. The turban, however, atop a brown face and a black beard, while objectively a smaller change to the uniform than the women’s, was an overt threat to traditional Canadiana. This is directly tied to the function of uniforms as the embodiment of social expectations for the behavior of the wearer and the observer. Police uniforms convey symbols of authority, status, and power, controlling both the social and inner self. In Jennifer Craik’s words, “do people wear uniforms or do uniforms wear people?”⁵⁴¹ Either way, wearing a uniform is a central body technique in the actualization of identity.⁵⁴²

Despite the backlash, many Canadians, at both the public and political level, welcomed the diversification of Canada’s most iconic institution as a reflection of the country they believed in — one that is constantly shifting to reflect its varied people. While there are still those who would prefer the turban was never allowed, Canada three decades after Inspector Dhillon became an officer gleefully flaunts its embodied paragon of Canadian virtues: a Sikh Mountie. In a truly Canadian turn of events, a Mountie in a turban is now iconic Canadiana.

⁵⁴¹ Craik, *Uniforms Exposed*, 7.

⁵⁴² Craik, *Uniforms Exposed*, 7.



Fig. 6. Arnold Friberg, 1953. *Springtime in the North*.

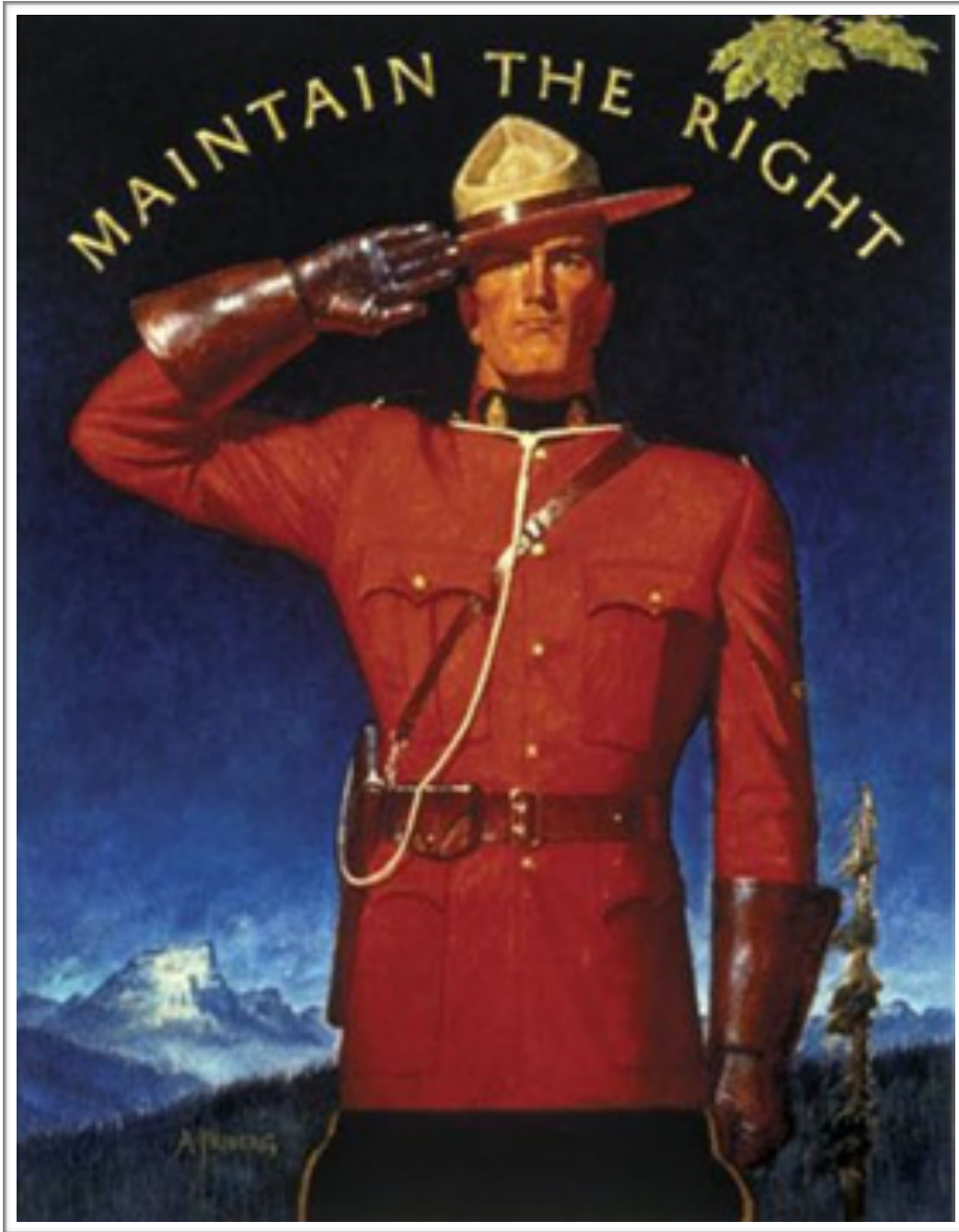


Fig. 7. Arnold Friberg, 1963. *Untitled (Maintain the Right)*. Duluth, MN: Tweed Museum of Art.



Fig. 8. British Officers of the Indian Cavalry — 5th Cavalry, 23rd Cavalry FF, 17th Cavalry, 26th KGO Light Cavalry, 11th KEO Lancers (Probyn's Horse), Daffadar 4th Cavalry, Jemadar 16th Cavalry. Illustration by Major A C Lovett in *The Armies of India* (Adam & Charles Black Publ.: London, 1911).



Fig. 9. Sikh Officers of the Indian Army. Punjabi Regiments — 24th Punjabis, 67th Punjabis, 29th Punjabis, 21st Punjabis, 25th Punjabis, 28th Punjabis, 93rd Burma Infantry, 74th Punjabis, 87th Punjabis, 76th Punjabis.



Fig. 10. Anti-Turban pin collection. These pins are still available on eBay as collectors' items. They are also housed at the Sikh Heritage Museum of Canada in Mississauga, Ontario.

CHAPTER FIVE

Zunera Ishaq and Muslim Niqabs in Citizenship Ceremonies, 2010-2015

Wanting to experience a day in the shoes of my Saudi friend I asked her to dress me appropriately and bring me along in all she did for a day, including praying at the mosque and eating in a restaurant. Noha Abdul Ghaffar was happy to oblige. We lived in the moderately sized Ontario city of Waterloo, a community with a disproportionately large percentage of immigrants, two mosques, and three universities. In other words, it is a fairly liberal and fairly diverse community. Despite this, Noha warned me that I would encounter prejudice, particularly because I would be wearing the niqab. She insisted I not wear a black hijab because, as she explained, being dressed from head to toe in black would be “too much” for Canadians.

The day was interesting and educational, and is easily summarized in one anecdote. I needed to buy some clothes for my daughter and so we went to a children’s store at which I regularly shopped. I changed nothing about my behaviour. I perused the way I always did, but for the first time one of the clerks constantly watched me. It was not a look of idle curiosity or of seeing if I needed assistance. Her gaze was hostile and suspicious. When I made my selections I went to the counter. I usually chat with cashiers, so I greeted this one. First I noticed that in a store that was always friendly and outgoing — a children’s store, after all — the cashier said nothing to me as I approached. Before (and after) I was always met with a friendly greeting at the counter. When I spoke she was visibly surprised I spoke English without an accent. She kept her words curt and to a bare minimum. When she counted out my change, before I could finish saying, “thank you,” she tossed the money on the counter and turned her back on me. Her rudeness shocked me. Every other time (and every time after) the cashier placed the money directly in my hand with a smile and a cheerful farewell. Nothing was different about me. I

spoke and behaved the same way. But this time I was veiled and apparently that made it appropriate to treat me with suspicion and discourtesy.

While one anecdote is hardly foundational research, it is clear that no item of clothing today stirs such visceral reactions and public controversy as the Muslim woman's niqab. The face veil is several inches of fabric, but it is just as much a concept as it is a material item.⁵⁴³ Wearing clothes activates them, and nowhere is this more evident than with the niqab.⁵⁴⁴ On its own it is merely an unremarkable swath of chiffon. Covering a woman's face it comes alive in the public imagination as the embodiment of women's oppression. The depth of unease niqabi women evoke through this embodied marker of religion is extraordinary.⁵⁴⁵ Dinah Zeiger, in her article *That (Afghan) Girl*, argues, "... veiled women today signify tyranny, and lifting the veil has become a metaphor for freedom and democracy."⁵⁴⁶

Hijab literally means, "to veil" and is both a verb (as practice), and a noun (as a dress item). The international Muslim community is as diverse as it is possible for nearly one billion people to be. Many Muslim women do not veil at all, and those who do often eschew the niqab.⁵⁴⁷ The scope of this chapter does not allow for a comprehensive answer to why, or how, women practice veiling. Clearly it depends on social, geographic, religious, and political positions (once again demonstrating Entwistle's thesis that dress is necessarily situated bodily

⁵⁴³ Jennifer Heath, ed., *The Veil: Women Writers on Its History, Lore, and Politics* (Berkeley: University of California Press, 2008), 3.

⁵⁴⁴ Jennifer Craik, *The Face of Fashion*, P. 16.

⁵⁴⁵ Bakht, "Veiled Objections" in Beaman, *Reasonable Accommodation*, 70-71.

⁵⁴⁶ Dinah Zeiger, "That (Afghan) Girl!: Ideology Unveiled in National Geographic," in *The Veil: Women Writers on Its History, Lore, and Politics*, ed. Jennifer Heath (Berkeley: University of California Press, 2008), 266.

⁵⁴⁷ For more on the complicated relationship Muslim women have with the niqab itself and its public representation, see Sedef Arat-Koc, "Coming to Terms with *Hijab* in Canada and Turkey: Agonies of a Secular and Anti-orientalist Émigré Feminist" in Alena Heitlinger, *Émigré Feminism: Transnational Perspectives* (Toronto: University of Toronto Press, 1999).

practice).⁵⁴⁸ Studies of women in many circumstances reveal that it is almost never a one-dimensional symbol. It has different meanings for different people living in Muslim majority contexts, and different meanings again for those living in Western societies. Therefore, this material practice symbolizes simultaneously overlapping and opposing characteristics.⁵⁴⁹ Sociocultural anthropologist Homa Hoodfar acknowledges that the veil has certainly served oppression, but argues women use the same practice, “to free themselves from the bonds of patriarchy.”⁵⁵⁰ She maintains that,

Muslim women like all other women are social actors, employing, reforming, and changing existing social institutions, often creatively, to their own ends. The static colonial image of the oppressed veiled Muslim woman thus often contrasts sharply with women's lived experience of veiling.⁵⁵¹

Ignoring this dismisses Muslim women’s socially located agency, and serves to bolster institutionalized unequal agentic capacities.⁵⁵² The niqab, therefore, as a lived dress practice is neither solely representative of an oppressive social force nor a woman’s agency.⁵⁵³

Zunera Ishaq is a Pakistani immigrant to Canada who exhibits a strong capacity for personal power. In 2015 she successfully challenged the Federal Government, led by Prime Minister Stephen Harper, in court on its ban on wearing the niqab during the oath swearing at citizenship ceremonies. Her case ignited the most heated debated of the 2015 federal election and contributed to the success of Justin Trudeau’s Liberals — and to the defeat of the Conservatives and the New Democratic Party. The public discussion became so impassioned in large part due to latent anti-Muslim sentiment and general anxieties over what a woman in niqab seems to

⁵⁴⁸ Joanne Entwistle, “Fashion and the Fleishy Body,” 340.

⁵⁴⁹ Bakht, “Veiled Objections,” in Beaman, *Reasonable Accommodation*, 72.

⁵⁵⁰ Homa Hoodfar, “The Veil in Their Minds and on Our Heads: The Persistence of Colonial Images of Muslim Women.” Abstract. *Resources for Feminist Research* 22 (3/4) (Fall/Winter 1992): 5-18.

⁵⁵¹ Hoodfar, 5.

⁵⁵² Hoodfar, 5. Refer back to earlier discussion of agency and social location in Chapter Two.

⁵⁵³ Entwistle, “Fashion and the Fleishy Body,” 341.

represent. This opposition generally falls into five categories: belief that the niqabi woman must be oppressed; fear over national security and terrorism; questions about the identification of the individual under the veil; an impression that the niqab makes it difficult to communicate, and that it is simply rude in Canadian society; and a conviction that it represents an unwillingness among Muslims to integrate. While these misgivings generally arise from a lack of personal relationship to any niqabi woman, and a general unease with the ways Canada is moving away from that which is familiar and valued, these objections are fundamentally rooted in colonial tropes of Muslims in general and Muslim women in particular, namely that they require “saving.” This fixation on liberating these women can cause tension with feminists, negating the feminism and agency of the Muslim women themselves.

Zunera Ishaq: The Woman Behind a Federal Controversy

Zunera Ishaq moved from Pakistan to Canada in 2008 with her husband Muhammad and their infant son. They had lived a privileged life in Pakistan — he was a chemical engineer and she was a high school teacher. She told a reporter in 2015 that they knew they had chosen the right country when the Canadian border officials had no problem accommodating her niqab.⁵⁵⁴ In Canada they moved in with her in-laws in Mississauga, but could not find work in their fields. Muhammad eventually took a job teaching in an Islamic school, and Zunera had two more sons, although she was unsatisfied with being a stay-at-home mom. “I never wanted to simply be a homemaker, babysitting all the time.”⁵⁵⁵ So she devoted herself to volunteering: visiting hospice residents, raising money for the Credit Valley Hospital, and helping in women’s shelters, food

⁵⁵⁴ Lauren McKeon, “Zunera’s War,” *Toronto Life* (Toronto, ON), March 8, 2016, <http://torontolife.com>.

⁵⁵⁵ Zunera Ishaq quoted in Lauren McKeon, “Zunera’s War,” *Toronto Life* (Toronto, ON), March 8, 2016, <http://torontolife.com>.

banks, and schools. Ishaq is wholeheartedly devoted to her Islamic faith. She describes how, “God forgives her mistakes,” that she is, “bound only to Him,” and that, “no other power controls her.”⁵⁵⁶ She considers her volunteer work irrevocably linked to God, seeing it as “His work.”⁵⁵⁷ This is not incidental. Volunteering, or *Tatawo’o*, is an important part of Islam.

Like Baltej Singh Dhillon, Ishaq’s devotion to supporting her community originated with her parents. One of her earliest memories is being five years old and going with her mother door to door to collect donations for victims of the war in Afghanistan.⁵⁵⁸ There is an irony here, that as an adult fighting for the right to wear her niqab, opponents accused her of promoting Taliban-esque ideology if not outright colluding with them. Ishaq was the youngest of nine children, growing up in a large house on half an acre in a city of 4.5 million people with several domestic servants. Her father, Naeem Chisbi, came from a wealthy land-owning family and was an economics professor at Bahaudiiin Zakariya University. As a child Ishaq was “energetic” and “playful.”⁵⁵⁹ She “preferred cricket and soccer” to more traditional female games, and her school teachers regularly disciplined her for playing pranks.⁵⁶⁰

Like most upper class Pakistani families, Ishaq’s was observant but not conservative. None of the women in her family wore the hijab or niqab. In Pakistan the practice is generally associated with rural and lower class women, “a status marker often associated with unenlightened, uneducated women under the control of their husbands and fathers.”⁵⁶¹ However, when Ishaq was 15 she took an English language course from a niqabi woman. She was intrigued

⁵⁵⁶ McKeon, “Zunera’s War.”

⁵⁵⁷ McKeon, “Zunera’s War.”

⁵⁵⁸ McKeon, “Zunera’s War.”

⁵⁵⁹ McKeon, “Zunera’s War.”

⁵⁶⁰ McKeon, “Zunera’s War.”

⁵⁶¹ McKeon, “Zunera’s War.”

by her teacher, whom she found “mysterious and beautiful.”⁵⁶² The teacher was outspoken and well-educated — not what Ishaq expected, only having, “a vague notion of what the niqab meant in Islam.”⁵⁶³ She was an audacious teenager who “wanted to be different — to stand out by hiding away.”⁵⁶⁴ She told her father she wanted to wear the niqab and he advised her to genuinely research it, to “really think about what it meant.”⁵⁶⁵

She explored scholarly texts, spoke with imams, and asked niqabi women she encountered about their reasons for wearing it. Her research only served to confirm the negative stereotypes. One woman told her, “her father forced her to wear it because he didn’t want anyone to recognize her on campus.”⁵⁶⁶ Not satisfied, Ishaq continued her research for another year, occasionally experimenting with wearing a niqab herself. She gave a lot of thought to what she believed Islam required of women regarding modesty and dress, and ultimately concluded the niqab’s purpose was protection. She found it offensive that, “her appearance could supersede her actions and her intellect.”⁵⁶⁷ The niqab makes how she looks, “a private matter.”⁵⁶⁸ Like many niqabi women, Ishaq enjoys fashion and makeup, but she wants the power to decide who sees that side of her. She prefers to, “craft her own identity.”

When she chose to wear the niqab full time at the age of 15, Ishaq’s parents supported her, but her extended family strongly opposed. Her cousins were embarrassed to be in public with her, and one of her uncles refused to visit their house.⁵⁶⁹ When her older sister also adopted

⁵⁶² McKeon, “Zunera’s War.”

⁵⁶³ McKeon, “Zunera’s War.”

⁵⁶⁴ McKeon, “Zunera’s War.”

⁵⁶⁵ McKeon, “Zunera’s War.”

⁵⁶⁶ McKeon, “Zunera’s War.”

⁵⁶⁷ McKeon, “Zunera’s War.”

⁵⁶⁸ McKeon, “Zunera’s War.”

⁵⁶⁹ McKeon, “Zunera’s War.”

the niqab her fiancé's parents ended their engagement, feeling that the Ishaqs, "were projecting an image of poverty."⁵⁷⁰ Perhaps, like Dhillon's experiences as a teenager facing opposition to his turban, these incidents helped prepare Ishaq for her fight with the Canadian government. By the time she began university she "was used to nasty comments and dirty looks."⁵⁷¹ Several of her professors regularly mocked her for her niqab. When she did her first in-class presentation her professor taunted, "Let's see how the voice will come out from behind the curtain."⁵⁷² Ishaq was humiliated when her classmates laughed, but was determined to demonstrate her capacities. "I wanted to show everybody just how strong the voice behind the veil could be!" She gave an excellent presentation and when she was done the class was silent. They did not tease her again.⁵⁷³ The next time a professor ridiculed her niqab, she "told him to mind his own business."⁵⁷⁴

As is customary in her culture and family, in her late teens her parents decided it was time for her to marry. She received three proposals, and her father consulted her on each one. One cousin offered to propose if she "downgraded to a hijab."⁵⁷⁵ She was furious and refused him for making the suggestion.⁵⁷⁶ She chose Muhammad but unconventionally refused to meet him or see his photo before the marriage. Ishaq "didn't want to be judged on her appearance and refused to do it to her husband."⁵⁷⁷ They married when she was 20.

One time on campus they ran into the professor who had mocked her "curtain." He stopped the couple and said to Muhammad, "You have a strong woman, so be careful,"

⁵⁷⁰ McKeon, "Zunera's War."

⁵⁷¹ McKeon, "Zunera's War."

⁵⁷² McKeon, "Zunera's War."

⁵⁷³ McKeon, "Zunera's War."

⁵⁷⁴ McKeon, "Zunera's War."

⁵⁷⁵ McKeon, "Zunera's War."

⁵⁷⁶ Zunera Ishaq, quoted in McKeon, "Zunera's War."

⁵⁷⁷ McKeon, "Zunera's War."

acknowledging that Ishaq had changed his opinion on the face veil.⁵⁷⁸ Muhammad agreed that his wife was strong, and affirms that strength in Canada. During the federal election media flurry around Ishaq, Muhammad — a man who is “shy and quiet” — preferred for his wife to be in the spotlight. She describes him as “supportive but reserved,” and that, “he lives in her orbit.”⁵⁷⁹ It is not necessary to know Ishaq personally to see that she does not fit common assumptions surrounding niqabi women.

By 2012 Canada felt like home, so the Ishaqs decided to apply for citizenship. Ishaq knew that the previous year the federal government banned women from wearing the niqab during citizenship ceremonies, and she was apprehensive. While she and Muhammad were studying their citizenship booklet they read that each Canadian has a “fundamental right to religious freedom.”⁵⁸⁰ Ishaq recalls, “I told him to stop reading. I said, ‘These are the rights that we have as Canadian citizens?’”⁵⁸¹ She began to wonder, “if religious freedom was such a tenet of Canadian society,” then why was she not able to practise her religion at the moment she became a citizen?⁵⁸² Ishaq consulted a law student acquaintance, who agreed the ban was a violation of Ishaq’s Charter rights and spoke with her professor about the feasibility of challenging it. Initially, Ishaq looked forward to the opportunity, but soon realized the full weight of what she was proposing: confronting the federal government, with no guarantee of success.

She passed her citizenship exam in November 2013, but was still unsure of whether or not to go to court. In December, the government invited her to take her citizenship oath. She explained her situation but there was no movement on the niqab. They would allow her to stand

⁵⁷⁸ McKeon, “Zunera’s War.”

⁵⁷⁹ McKeon, “Zunera’s War.”

⁵⁸⁰ McKeon, “Zunera’s War.”

⁵⁸¹ Zunera Ishaq, quoted in McKeon, “Zunera’s War.”

⁵⁸² McKeon, “Zunera’s War.”

amidst a group of women, but she must be unveiled.⁵⁸³ Ishaq was “furious” at the minimal attempt at accommodation. She also realized that, if she won, any niqabi woman after her would have the choice to remain veiled. Considering how it would help future niqabi women convinced her to challenge the government, so she contacted Lorne Waldman, a Toronto lawyer specializing in immigration law. The next day, Waldman filed an official challenge against the federal government.⁵⁸⁴

Two Court Cases

Stephen Harper’s Conservative Party formed the federal government Ishaq was challenging. Recall from the earlier discussion on Canada’s political party system that the Conservative party is the dominant voice of the country’s right-of-centre politics, and that Stephen Harper was initially the leader of the further-right Canadian Alliance that he successfully united with the Progressive Conservative party to create the Conservative Party of Canada in 2003. As discussed earlier, the political right was largely fractured and weak throughout the 1990s. When Harper, as leader of the Alliance, united the right he made an early name for himself and breathed new life into the beleaguered Canadian right-wing after over a decade of Liberal Party rule. In the next federal election of 2005, the Conservatives, under Harper’s leadership, defeated the Liberals and were still in power when Ishaq took the federal government to court in 2015.

Then-Minister of Citizenship and Immigration Jason Kenney precipitated Ishaq’s situation when, in late 2011, he stated that taking the Oath of Citizenship,

⁵⁸³ McKeon, “Zunera’s War.”

⁵⁸⁴ McKeon, “Zunera’s War.”

... is a public act of testimony in front of your fellow citizens, it's a legal requirement, and it's ridiculous that you should be doing so with your face covered. ... You're standing up in front of your fellow citizens making a solemn commitment to respect Canada's laws, to be loyal to the country, and I just think it's not possible to do that with your face covered.⁵⁸⁵

Kenney was referencing Sections 19 and 20 of the *Citizenship Regulation*, which explains that new Canadians generally take the Oath of Citizenship before a judge appointed by the Governor-in-Council in a public citizenship ceremony in accordance with the *Citizenship Act*, section 26.⁵⁸⁶

Kenney's comments came as he introduced Operation Bulletin 359 which stated citizenship candidates, "will need to remove their face covering during the taking of the Oath. Failure to do so will result in the candidates not receiving their Canadian citizenship on that day."⁵⁸⁷ These changes to the Citizenship and Immigration Policy Manual prohibited anyone who would not remove face coverings from receiving the certificate of citizenship, necessary to meet the section 3 requirement of the *Citizenship Act*.⁵⁸⁸ These additions to the Manual were as follows:

6.5.2. Witnessing the oath

It is the responsibility of the presiding official and the clerk of the ceremony to ensure that all candidates are seen taking the Oath of Citizenship.

To facilitate the witnessing of the oath taking by CIC officials, all candidates for citizenship are to be seated **together**, as close to the presiding official as possible.

- For larger ceremonies (50 or more candidates), additional CIC officials will be required to assist in the witnessing of the oath. The CIC officials will need to observe the taking of the oath by walking the aisles.

Candidates wearing face coverings are required to remove their face coverings for the oath taking portion of the ceremony.

⁵⁸⁵ Cited in 2015 FC 156 at para 49. Under the Canadian parliamentary system, Ministers are selected and given portfolios from within the ruling party. Therefore, Jason Kenney was a Conservative MP. Each portfolio has an Official Opposition counterpart, at this time this would be a Liberal MP, as the Liberal Party served as Official Opposition.

⁵⁸⁶ Shaun Fluker, "The Niqab, The Oath of Citizenship, and the Blurry Line Between Law and Policy," *The University of Calgary Faculty of Law* (blog), September 28, 2015, <http://ablawg.ca>.

⁵⁸⁷ Ryan Remiorz, "A Single Niqab Eclipses All: A Momentous Appeal Court Decision — and the Beginning of the End of the NDP in Quebec," *Maclean's*, November 2, 2015, 30.

⁵⁸⁸ Fluker, "The Niqab, The Oath."

6.5.2. Candidates not seen taking the oath

In some circumstances, it is difficult to ascertain whether candidates are taking the oath (sometimes due to a *face covering*). When a candidate is not seen taking the oath by a presiding official or CIC official(s), the clerk of the ceremony must be notified **immediately** following the oath taking portion.

- The candidate's certificate is to be removed from the pile.
- The candidate's name is NOT to be called and the certificate is NOT to be presented.⁵⁸⁹

The oath at the heart of this furor is a simple one:

I swear (*or* affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and Successors, and that I will faithfully observe the laws of Canada and fulfill my duties as a Canadian citizen.⁵⁹⁰

Canadian courts consider evaluating religious requirements futile. The Supreme Court of Canada developed a test of personal religious belief in which an individual's sincerely held belief is given precedence over religious community norms or expectations.⁵⁹¹ Many of those who opposed Ishaq's bid to wear her niqab during the citizenship ceremony argued that Muslim women are not required to do so. However, under Canadian Charter law no one has the authority to decide what religions or their adherents should or should not believe (including authority figures within a tradition). Many of these opposing voices came from within the Canadian Muslim community, and this highlights an important aspect of conflicting views around the exercise of agency and social coercion, which will be discussed more later. However, what a Muslim woman may or may not be "required" to do is irrelevant in Canadian courts. It only matters what she herself feels compelled to do. This prevents courts and public organizations having to determine the "reasonableness" of practices connected to beliefs, such as the possibility of prophets, revelation, atonement, etc. The onus is on the party limiting the religious

⁵⁸⁹ Bolded and capitalized are original. Italics are added. Quoted in Fluker, "The Niqab, The Oath."

⁵⁹⁰ Fluker, "The Niqab, The Oath."

⁵⁹¹ Bakht, "Veiled Objections," 97.

freedom to prove it is necessary. It is important to know that where meeting a request for an accommodation based on religious belief causes harm, is based on hatred, or impacts others, the law sets down tests to determine how and to what extent the right to accommodation may need to be limited.⁵⁹² It is important to remember that in this case, however, the sincerity of Ishaq's belief was not on trial.

In October, 2014, *Ishaq v. Canada (Citizenship and Immigration)*, 2015 FC 156, was heard in Federal Court Trial Division. Lorne Waldman argued that the new policy violated Ishaq's Charter right to religious freedom [sections 2(a) and 2(b)], forcing her to sacrifice her sincerely held beliefs in order to become a citizen. The government countered that Ishaq's challenge was premature. Because Kenney put the restriction in the Manual it was not law, only a guideline. It was for the citizenship judges to enforce or not, at their discretion. Ultimately, this argument was the government's own undoing. It was demonstrably untrue that the government did not wish to make the face veil removal mandatory. Emails from within the Immigration department, in addition to public statements from Minister Kenney and Prime Minister Harper, clearly indicated a mandatory intention. One of the emails included the following:

In looking over the hand written comments from the Minister, it is pretty clear that he would like the changes to the procedure to "require" citizenship candidates to show their face and that these changes be made as soon as possible ... My interpretation is that the Minister would like this done, regardless of whether there is a legislative base and that he will use his prerogative to make policy changes.⁵⁹³

However, only the Governor-in-Council can create compulsory law for the oath of citizenship, according to section 27(1)(h) of the *Citizenship Act*.⁵⁹⁴ Justice Keith Boswell spent four months deliberating. In February 2015 he made his ruling, declaring the policy unlawful. He

⁵⁹² Morlock, "Religion is a Human Right"

⁵⁹³ Cited in 2015 FC 156 at para 46. Quoted in Fluker, "The Niqab, The Oath."

⁵⁹⁴ Fluker, "The Niqab, The Oath."

rejected the argument that it was not intended to be compulsory and declared, “Any requirement that a candidate for citizenship actually be seen taking the oath would make it impossible not just for a niqab-wearing woman to obtain citizenship, but also for a mute person or a silent monk.”⁵⁹⁵ The provisions in the manual fell under the realm of law, and not just policy (as the government argued), because they were publicly available and established an identifiable obligation for general application.⁵⁹⁶ Boswell also found the policy, “directly contradicted regulations calling for ‘the greatest possible freedom in the religious solemnization’ of citizenship.”⁵⁹⁷

The Government appealed in *Canada (Citizenship and Immigration) v. Ishaq*, 2015 FCA 194, heard on September 15, 2015 in the Federal Court of Appeal. While preparations for the appeal would take months, Prime Minister Harper’s Conservative government introduced a bill to Parliament modifying the regulations on June 19. If Parliament passed the bill it would give the policy to ban niqabs during citizenship ceremonies the force of law.⁵⁹⁸ However, before that could happen Prime Minister Harper asked Governor General David Johnston to dissolve Parliament on August 2, initiating an unusually long eleven week campaign for the federal election on October 19.⁵⁹⁹

In a rare move the bench in *Canada v. Ishaq* issued its ruling the same day, immediately after hearing testimony. In a six paragraph decision, the three judges — Justices Johanne Trudel,

⁵⁹⁵ Justice Keith Boswell, quoted in McKeon, “Zunera’s War.”

⁵⁹⁶ Fluker, “The Niqab, The Oath.”

⁵⁹⁷ Remiorz, “A Single Niqab Eclipses All,” 30.

⁵⁹⁸ Remiorz, 30.

⁵⁹⁹ Canadian Press, “Stephen Harper asks governor general to dissolve parliament, kicking off long election campaign,” *The National Post*, August 2, 2015, <http://www.news.nationalpost.com>. Under the Canadian parliamentary system, the Prime Minister serves at the pleasure of the Queen, and the Governor General is her representative in Canada. The position is largely ceremonial, but only the Governor General has the power to form or dissolve Parliament. When a party wins an election, the Governor General formally invites the leader of that party to form government. The Prime Minister determines when to call the next federal election, and doing so requires him or her to ask the Governor General to dissolve the sitting Parliament.

Wyman Webb, and Mary Gleason (all appointed by Prime Minister Harper) — unanimously agreed with Justice Boswell’s findings.⁶⁰⁰ Journalist Ryan Remiorz described it as “the sort of thing judges do when they believe the arguments they’ve heard aren’t even worth sleeping on.”⁶⁰¹ It was a month before election day and the judges intended to give Ishaq enough time to take her oath so she could vote.⁶⁰² The next day the government served notice that it intended to appeal to the Supreme Court. On September 18 the government sought a stay of application, which would have the appeal court choose not to implement its ruling. The court denied the stay.⁶⁰³

A Federal Election

The niqab, a topic that had been simmering in Canadian politics for months, instantly became the most fiercely debated issue of the election. In Quebec, where opposition to the religious dress in general and the niqab in particular is strongest, Harper’s Quebec lieutenant Denis Lebel told voters that the Conservatives would reintroduce a bill on veils and citizenship oaths within 100 days if they were re-elected.⁶⁰⁴ The Bloc Québécois ran animated television ads, displaying a drop of oil from a pipeline turning into a veiled woman.⁶⁰⁵ Beneath the image was the caption, “La goutte de trop” (a drop too much).⁶⁰⁶ On September 22, the Conservative

⁶⁰⁰ Fluker, “The Niqab, The Oath.”

⁶⁰¹ Remiorz, “A Single Niqab Eclipses All,” 30.

⁶⁰² McKeon, “Zunera’s War.”

⁶⁰³ Remiorz, “A Single Niqab Eclipses All,” 30.

⁶⁰⁴ Angelica Montgomery, “What you need to know about Quebec’s religious neutrality legislation: Bill 62 bans all public workers and all those receiving any government service from wearing a niqab or burka,” *CBC News: Montreal*, October 17, 2017.

⁶⁰⁵ Remiorz, “A Single Niqab Eclipses All,” 31.

⁶⁰⁶ John Barber, “Veil Debate Becomes Big Issue in Canada Election, Putting Conservatives Into Lead,” *The Guardian* (Canada edition), October 21, 2015.

Party released French language TV ads stating they shared Quebecers' values, including the belief that a woman's face should be uncovered while taking the Citizenship Oath.⁶⁰⁷

These followed Prime Minister Harper's remarks in the House of Commons on Tuesday, March 10, 2015, when he stated, "And why would Canadians, contrary to our own values, embrace a practice at that time that is not transparent, that is not open and, frankly, is rooted in a culture that is anti-women?"⁶⁰⁸ New Democratic Party leader Tom Mulcair rejected Harper's stance: "When he talks about a culture of 1.8 billion human beings as being anti-woman ... [it's] very divisive and it's irresponsible, and it's undignified from a Canadian Prime Minister."⁶⁰⁹ Liberal Leader Justin Trudeau described it as, "doubling down on the politics of fear," and "the crassest kind of politics."⁶¹⁰ Many Canadians responded to Harper's comments through social media with a mocking hashtag: #DressCodePM. Sarah M tweeted, "Sorry, @PMHarper, the cure for 'anti-women culture' is not to tell women what they can and cannot wear. Nice try, #dresscodePM."⁶¹¹ Rob Nickerson tweeted, "Need clarification. Does PM Harper need to approve my wife's clothing or can any man do it? #DresscodePM."⁶¹² Others posted images of themselves and their outfits for the day, asking @PMHarper if their outfits were acceptable.⁶¹³ This Twitter campaign exerted the same manner of social control that the Conservative Party was

⁶⁰⁷ The Canadian Press, "Mulcair moves to defuse niqab debate on eve of first French leaders' debate," *City News*, September 23, 2015, <http://www.citynews.ca>.

⁶⁰⁸ Lauren O'Neil, "Harper's niqab comments inspire snarky Twitter hashtag: #DressCodePM," *CBC News*, March 11, 2015, www.cbc.ca/news.

⁶⁰⁹ O'Neil, "Harper's niqab comments."

⁶¹⁰ Stephen Chase, "Niqabs 'rooted in a culture that is anti-women,' Harper says," *Globe and Mail* (Toronto, ON), March 10, 2015, <http://theglobeandmail.com>.

⁶¹¹ Sarah M. (@Metamorphocity), Twitter, March 11, 2015 12:08 PM, quoted in O'Neil, "Harper's niqab comments."

⁶¹² Rob Nickerson, (@TheRobNickerson), Twitter, quoted in O'Neil, "Harper's niqab comments."

⁶¹³ Sarah M. (@Metamorphocity) quoted in O'Neil, "Harper's niqab comments."

employing, namely using dress to illustrate where the boundaries of socially acceptable behaviours lay (albeit in the opposite direction).⁶¹⁴

Elizabeth May, leader of the Green Party, was unambiguous in her opinion: “We have to renounce politics of fear and division in this country ... It’s 2015; there are real challenges that face Canada. But a woman being entitled to wear a niqab in a citizenship ceremony is an issue? Excuse me, this is not an issue. This is a cynical manipulation.”⁶¹⁵ Trudeau challenged the Prime Minister in the House of Commons, demanding Harper explain, “to Canada's half a million Muslim women why he said their chosen faith is anti-women.”⁶¹⁶ Harper countered that he had said no such thing — in fact he had said the niqab practice was “anti-woman,” not the Muslim faith — and read comments from Muslim organizations supporting his position that wearing a niqab while taking the Oath of Citizenship was offensive. He argued that, “These are not the views only of the overwhelming majority of Canadians, they are the views of the overwhelming majority of moderate Muslims ... It is up to the leader of the Liberal party to explain why he is so far outside that mainframe.”⁶¹⁷

Harper had the numbers to support his position. A Leger poll showed 82 per cent of Canadians believed the niqab should be banned during citizenship ceremonies. Quebec’s opposition was highest at 93 per cent, while British Columbia’s was lowest at 72 per cent.⁶¹⁸ Trudeau replied that apparently Harper “[believes] that the majority should dictate the religious rights of minorities ... just as he did as a Reform MP 25 years ago when he opposed allowing

⁶¹⁴ Kim K. P. Johnson and Sharron J. Lennon, *Appearance and Power*, 1999.

⁶¹⁵ The Canadian Press, “Mulcair moves to defuse niqab debate.”

⁶¹⁶ John Bryden, “Tony Clement Defends Niqab Ban at Citizenship Ceremonies, But Not Federal Workplaces,” *The Canadian Press*, March 11, 2015.

⁶¹⁷ Bryden, “Tony Clement Defends Niqab Ban.”

⁶¹⁸ Douglas Todd, “Canadians Far From Resolving Niqab Issue: There are Still Some Unsettling Questions That Need Answers,” *Vancouver Sun* (Vancouver, BC), October 1, 2016.

Sikh RCMP officers to wear turbans.”⁶¹⁹ Beyond the political discussion of majority versus minority “greatest good,” this is a statistical example of how the social body manages and censures bodies that do not conform to cultural standards of appropriate dress.⁶²⁰

Like May and Trudeau, Mulcair was clear in his support of a Muslim woman’s right to wear a niqab at any time and urged Canadians not to, “give in to the politics of fear, division and exclusion.”⁶²¹ But unlike May and Trudeau, Mulcair — who was leading in the polls — faced a heavy adverse reaction for his position. When the judges issued their verdict on September 15, the NDP party’s campaign director Anne McGrath started hearing about the court’s decision within minutes. Candidates and riding organizations in Quebec sent her “frantic messages”: “We’re going to lose the election over this.”⁶²² They were not wrong. “The backlash against NDP candidates was immediate. ... On Sept. 20, NDP candidates’ signs across Montreal were defaced. On some, vandals scrawled the word ‘Islam.’ Female candidates had niqabs painted over the photos of their faces.”⁶²³ Political journalist Douglas Todd declared, “... debate over Zunera Ishaq’s niqab helped kill the best chances the New Democratic Party ever had to form the national government.”⁶²⁴ After the election, when his party went from 95 seats to 44 and from lead in the pre-election polls to third, Mulcair stood by his choice. In his first interview after the election he told the Canadian Press,

These were defining moments for me in my political career and in the campaign. And could a different result have been achieved? Perhaps. But I wasn’t going to do something that I had never done in my career. ... I’d

⁶¹⁹ Bryden, “Tony Clement Defends Niqab Ban.”

⁶²⁰ Joanne Entwistle, *Fashion and the Fleshy Body*, 336.

⁶²¹ The Canadian Press, “Mulcair moves to defuse niqab debate.”

⁶²² Remiorz, “A Single Niqab Eclipses All,” 30.

⁶²³ Remiorz, “A Single Niqab Eclipses All,” 31.

⁶²⁴ Douglas Todd, “The Paradoxical World of Zunera Ishaq, the Woman Who Changed Canadian Political History,” *Postmedia Breaking News*, September 29, 2016. Demonstrating that dress censure for stepping outside of social parameters can extend to those who support the offending transgressors, even if they themselves follow dress protocol.

always been a person who stood up for his convictions. ... I wasn't going to be a part of [divisive and fear mongering rhetoric]. I just found it undignified.⁶²⁵

The Conservatives, who were lagging in the polls, initially benefited from the niqab debate. In *Modest Fashion: Styling Bodies, Mediating Faith*, Reina Lewis argues that when a government takes the step to legislate Muslim women's dress it represents the place of religio-ethnic identity within the country's nationalism.⁶²⁶ Amplifying the issue demonstrated that the party understood the role of this value in igniting their base. Discussing this matter, EKOS Research Associates president Frank Graves told *Maclean's* magazine, "Emotions are what determine who wins elections."⁶²⁷ On the same day Ishaq told *The Guardian*, "This is not an issue ... this is a trivial thing." Graves, however, told that paper, "It's a huge issue. It's sorting the electorate right now. It has really invigorated the Conservatives and moved them into a clear lead."⁶²⁸ The party then saw a leap from third to first place, with a 10 percent jump in the polls, when they announced that they would appeal their second defeat in court to the Supreme Court.⁶²⁹ Legal experts agreed the government had almost no chance of succeeding where they had failed with the Federal Courts. In fact, given that the Federal Appeal Court's decision was unanimous, it was probable the Supreme Court would dismiss the case without hearing it.⁶³⁰ According to University of Toronto law professor Denise Réaume, "There couldn't be a clearer

⁶²⁵ Kristy Kirkup, "Tom Mulcair says niqab position was a defining moment of his political career," *CBC News*, October 26, 2015, <http://www.cbc.ca/news/politics>.

⁶²⁶ Reina Lewis, *Modest Fashion*, P. 6.

⁶²⁷ Ken MacQueen and Michael Friscolanti, "Who Gets to be Canadian?: A Veiled Muslim? A Native-Born Terrorist? How the Campaign is Distorting the True Meaning of Citizenship," *Maclean's*, October 19, 2015, 20.

⁶²⁸ Barber, "Veil Debate Becomes Big Issue."

⁶²⁹ Madeleine Thien, "Time for the Real Canada to Stand Up," *Al Jazeera English*, October 19, 2015.

⁶³⁰ Mark Kennedy, "Government Scraps Tories' Legal Fight to Ban the Niqab," *Ottawa Citizen* (Ottawa, ON), November 17, 2015.

case of government ministers just whipping up the population when they haven't got a legal leg to stand on.”⁶³¹

When the Conservatives rose in the polls, the NDP plummeted.⁶³² Mulcair's stance was, not surprisingly, most unpopular in Quebec. In the previous election, the party had seen its largest support in that province in its history, making forming a federal government the most probable it had ever been. But as Quebec voters abandoned the party over the niqab issue, left-leaning English Canada began to lose confidence in the NDP's ability to defeat the Conservatives and predominantly switched their support to the Liberal party and Justin Trudeau.⁶³³

For the Conservatives, the niqab became the most prominent of a series of tactics to muster votes through wedge issues. The party hired controversial Australian campaign consultant Lynton Crosby, who was largely responsible for David Cameron's win in the United Kingdom earlier in the year, and Australian Prime Minister John Howard's re-election campaign where mistrust of refugees figured prominently. Howard turned away a vessel of 440 asylum seekers, the MV Tampa, and then ran a newspaper ad stating, “We decide who comes into this country.”⁶³⁴ When Crosby became an advisor, Harper increased his rhetoric around rigorously vetting refugees from the “terrorist war zone.”⁶³⁵ Historian and public policy analyst Gerald Caplan (who is also connected with the NDP), wrote in *The Globe and Mail*, “Quite simply, the Conservatives have decided that [Ishaq] is a useful weapon in their re-election campaign. By scapegoating her while introducing their much-criticized new anti-terrorism bill, they hope to

⁶³¹ Barber, “Veil Debate Becomes Big Issue.”

⁶³² Anon., “Canada Government Ends Legal Fight to Ban Niqab,” *Middle East North Africa Financial Network*, November 18, 2015.

⁶³³ Todd, “The Paradoxical World of Zunera Ishaq.”

⁶³⁴ Steven Chase, “Controversial Australian strategist to help with Tories' campaign,” *The Globe and Mail* (Toronto, ON), September 10, 2015, <http://www.theglobeandmail.com>.

⁶³⁵ Chase, “Controversial Australian strategist.”

convince frightened voters that the Conservatives are their best hope against dangers of all kinds.”⁶³⁶ Critics of the anti-terrorism bill (Bill C-51) felt it lacked sufficient oversight, created two tiers of citizens, and was too broad in its scope. The party attempted to use their bill and Ishaq’s niqab to convince Canadians that, unlike their Liberal and NDP counterparts, the Conservatives were the country’s best hope to keep terrorism at bay. The Liberal party supported the bill, despite opposition from their base, in order to avoid accusations of being “soft” on terrorism.⁶³⁷

Unlike in Australia and the UK, however, the Conservatives miscalculated the public response. Political journalist Remiorz editorialized that, “Over the heads of some Harper advisers ... light bulbs started to blink. Hey: If a wary stance toward Syrian refugees was a good idea, and a strong stand against veiled citizenship oaths had impaled the NDP on the horns of a dilemma, then maybe a lot more of this stuff would be even better!”⁶³⁸ There was some internal confusion, however, on message delivery. Federal Conservative MPs were insistent that a niqab ban would only apply to citizenship ceremonies and not in other spheres of public life, including the public service. However, when gallery reporters asked the politicians to explain why, if it is not a problem to wear the niqab in other areas, how it is “contrary to Canadian values,” and “rooted in a culture that is anti-women,” they struggled to do so. Treasury Board President Tony Clement (who was responsible for the federal civil service) replied, “That is what the prime minister said and that is a point of view that one can hold.”⁶³⁹ The MPs followed Conservative party talking points emphasizing Justin Trudeau being “out of step” with the broad public support for banning

⁶³⁶ Gerald Caplan, “Harper’s niqab ban plays dangerous politics,” *The Globe and Mail* (Toronto, ON), March 6, 2015.

⁶³⁷ Personal conversation with Kitchener Centre MP, Raj Saini, June 17, 2015.

⁶³⁸ Remiorz, “A Single Niqab Eclipses All,” 31.

⁶³⁹ Bryden, “Tony Clement Defends Niqab Ban.”

the niqab during citizenship ceremonies.⁶⁴⁰ The points, circulated that day, end with: “Unlike Justin Trudeau, we are not afraid to call the growing threat of jihadi terrorism exactly that — jihadi terrorism.”⁶⁴¹

Many Canadians became increasingly uncomfortable with this emphasis. Remiorz explains, “Some MPs, candidates, and campaign staffers started to send urgent messages up the line: Enough of this, already. For the love of Pete, let’s get off the scary-foreigners thing.”⁶⁴² Harper and his immediate advisors heeded the warning, but not everyone in the Party did. On Friday, October 2, while Harper took a private day in Montreal to prepare for the fifth and final leaders’ debate, Chris Alexander, Minister of Citizenship and Immigration, and Kellie Leitch, Minister for the Status of Women, made an announcement in Ajax, Ontario (where Alexander faced a tight race for re-election). Alexander and Leitch notified the electorate that they would heighten the Zero Tolerance For Barbaric Cultural Practices Act (which targeted concerns such as forced marriage, “honour” killings, and female genital mutilation) with a new RCMP tip line. Canadians could call the number if they felt their neighbours were engaging in such “barbaric cultural practices.” Leitch declared, “The Conservative government is not afraid to defend Canadian values,” and Alexander added, “We need to stand up for our values.”⁶⁴³

Harper had not approved the move, but someone in the party had — “who knew who? The damned campaign had taken on a life of its own.”⁶⁴⁴ Senior campaign staffers were surprised by the announcement and one of Harper’s personal staffers described it as a, “Terrible

⁶⁴⁰ Bryden, “Tony Clement Defends Niqab Ban.”

⁶⁴¹ Bryden, “Tony Clement Defends Niqab Ban.”

⁶⁴² Remiorz, “A Single Niqab Eclipses All,” 31.

⁶⁴³ Remiorz, 31.

⁶⁴⁴ Remiorz, 34.

day on the campaign trail. Terrible. Jumped the shark.”⁶⁴⁵ Like the NDP before them, the Conservatives immediately felt the backlash. “#Barbaricculturalpractices” quickly became another mocking hashtag on social media, even more popular than #DressCodePM. Canadians took to Twitter and Facebook asking the Prime Minister to comment on their behaviours to ascertain if they fit the “barbaric cultural practices” definition, and listing issues they considered to fit the bill. For example, Peter Scowen tweeted, “Capri pants on men. #Barbaricculturalpractices.”⁶⁴⁶ Siusaidh Chaimbeul tweeted, in reference to a photo of high heels, “Does wearing these torture devices come under the heading of #barbaricculturalpractices?”⁶⁴⁷ And “twoey for real” tweeted, “Leaving like a centimeter of milk in the bag because you’re too lazy to change it. #Barbaricculturalpractices.”⁶⁴⁸

Ishaq’s niqab was not the only face veil making a public appearance in the tensions surrounding the election. Though there were no new changes to any regulations, some candidates and other Canadians began publicly opposing an Elections Canada policy that allows a woman to wear a niqab while casting her ballot. At first glance many believed this was an unreasonable acquiescence to religious accommodation. Elections Canada, however, responded to these concerns by explaining that a niqab-wearing woman must present two items of identification – the same requirement for early and mail-in voters, who obviously could not show their faces through the post.⁶⁴⁹

⁶⁴⁵ Remiorz, 34. “Jumped the shark” is an expression indicating the moment when one knows a situation has decidedly taken a turn for the worse, or gone irrevocably downhill.

⁶⁴⁶ Peter Scowen (@scowen13), Twitter, October 2, 2015, 1:25 pm.

⁶⁴⁷ Siusaidh Chaimbeul (@Zaganashikwe), Twitter, October 2, 2015, 2:58 pm.

⁶⁴⁸ Twoey for real (@actualtwoey), Twitter, October 2, 2015, 2:58 pm.

⁶⁴⁹ The Canadian Press, “Elections Canada Policy Allows Women to Wear Niqabs While Voting,” *CTV News*, October 7, 2015.

Protesting what they considered an over-emphasis on niqabs during the election, several voters appeared at polling stations wearing “creative face coverings,” including a wrestling mask and a real pumpkin. Mike Kendrick, a resident of Edmonton who wore a mask, wrote on Facebook:

This campaign has been plagued with fearmongering [sic.] and jingoism, making a farce of real issues. I’ve chosen to respond to Harper’s ridiculous tactics by ridiculing the very issue he’s forced on Canadians for weeks. The right to cover your head does not threaten the democratic process, whether you’re wearing a niqab, a khustka, or a luchador mask. Citizens should have the right to peaceful expression and belief without fear of government interference.⁶⁵⁰

Ultimately, the Liberal Party won the election on October 19, 2015, with Justin Trudeau at the helm. An aversion to nationalist protectionism played an important role in this result, though economic factors and a general desire for “change” after a decade of Conservative government were also significant factors. Ishaq herself voted for the Liberal Party, and when Trudeau won she wrote him an open letter of congratulation in *The Toronto Star*. She told him, “It has been blissful to see your remarkable victory.”⁶⁵¹ During the midst of the trial and public furor Trudeau phoned her to find out why she wore the niqab, and why she was fighting for it in court. In this letter she extended, “a heartfelt thank you” for calling her when she was, “broken and scared. I was touched to hear from you at the most crucial time of my life. Thank you Mr. Trudeau for your kind support, which comforted me to stand firm on my beliefs. It wouldn’t have been possible without the mercy of God and support of valued leaders like you. It is a great privilege to become part of multicultural and diverse Canada.”⁶⁵² She ended her letter with the

⁶⁵⁰ Aileen Donnelly, “Canadians Fed Up With Divisive Niqab Debate Turn Out to Vote in Masks and - in One Case - a Pumpkin,” *Canwest News Service*, October 20, 2015.

⁶⁵¹ Zunera Ishaq, “Niqab Activist’s Letter to PM,” *The Toronto Star* (Toronto, ON), January 8, 2016.

⁶⁵² Ishaq, “Niqab Activist’s Letter.”

thought, “We, as Canadian Muslims, have faith in you that you will work tirelessly [to] be honest and sincere to serve all public interests.”⁶⁵³ The following spring Governor General David Johnston told prominent journalist Peter Mansbridge in a televised CBC interview, regarding the election and the niqab, “I think Canada showed its strength that that should not sidetrack us from who we really are. I continue to worry about any initiatives that would cause us to be small-minded and to lose that sense of inclusiveness, fairness, [and] equality of opportunity ...”⁶⁵⁴

Muslims in Canada

Johnston’s comments reflect a common Canadian self-perception, that Canada, with its conscious development as a multicultural nation, will reject “fear based,” “xenophobic,” or “anti-immigrant” policies and politics.⁶⁵⁵ Yet the Quebec Human Rights Commission conducted a survey in 2015 that found attitudes in that province toward religious minorities — particularly Muslims — were far from amiable. The results are based on 25-minute interviews with 1500 people across the province:

“... 43 per cent of respondents said you should be suspicious of anyone who openly expresses their religion, 45 per cent said they had a negative view of religion and 48.9 per cent ... said it bothered them to be attended to by a woman wearing a hijab. (That's compared to 5.5 per cent who said they were bothered by someone wearing a cross, 25 per cent by someone wearing a Jewish kippa, and 30.5 per cent who were bothered by someone providing services while wearing a turban.)”⁶⁵⁶

⁶⁵³ Ishaq, “Niqab Activist’s Letter.”

⁶⁵⁴ David Johnston, quoted in Anthony Furey, “Wrapped Up in Controversy: Governor General Calls Niqab Ban ‘Small-Minded,’ and That’s Not Partisan?” *The Winnipeg Sun* (Winnipeg, MB), April 15, 2016, A14.

⁶⁵⁵ Reading the comments section to any news story involving refugees or Muslims should quickly disabuse any Canadian of this belief.

⁶⁵⁶ Catherine Solyom, “Troubling Data on Religious Tolerance: Poll; Almost Half of Respondents Had Negative Views Towards Muslims,” *Montreal Gazette* (Montreal, QC), October 31, 2015, A4. There are also several similar studies conducted by the Canadian Broadcasting Corporation and the Association of Canadian Studies finding similar results. Chace King, “Canada and the Niqab,” *Brock Press* (St. Catharine’s, ON) September 29, 2015, <http://www.brockpress.com/2015/09/canada-and-the-niqab/>.

In June 2015, the Quebec government, under Liberal Premier Philippe Couillard, made a second attempt to introduce legislation that would prohibit women from providing or accessing government services while their faces are covered. Prime Minister Harper stated, “I believe the Quebec government has been handling this very controversial issue in a very responsible manner, and we will do exactly the same thing in Ottawa.”⁶⁵⁷ The legislation was couched in “religious neutrality” terminology, but overtly targeted niqabi Muslim women. “Neutrality” here, as in many Canadian secular contexts, means absence of visible religion. However, when religious observance is irrevocably tied to a believer’s embodied materiality, such as with a niqab, in practice “neutrality” only serves to block visible religious minorities from the public sphere while glossing over the already entrenched manifestations of dominant religion(s).

These attitudes are not limited to Quebec, and throughout the country Muslim Canadians report feeling a sense of not-quite-belonging. Sajidah Kutty, in her *Toronto Star* article, *This Election is Not About Muslims*, describes how the women in her family, “... were recently called ‘terrorist’ on separate occasions, in public. For my mother, it was jarring because the initial prejudice she’d faced had faded and, now, as a senior, she’s grown accustomed to the peace of a truly multicultural society. Now, she doesn’t feel so good.”⁶⁵⁸ Kutty lives in an upscale suburban neighbourhood, and the name-calling occurred when her mother was visiting her. “Not surprising – my street is peppered with blue signs, the predominant colour here.”⁶⁵⁹ Blue is the colour of Harper’s Conservative Party of Canada. Moustapha Kori Mbami is a mining engineer in

⁶⁵⁷ Anon., “A Veil Ban, ‘Barbaric Practises,’ [sic.] and Canada’s Election,” *Al Jazeera English*, October 18, 2015.

⁶⁵⁸ Sajidah Kutty, “This Election is Not About Muslims,” *The Toronto Star* (Toronto, ON), October 18, 2015, A13.

⁶⁵⁹ Kutty, “This Election is Not About Muslims,” A13. Each candidates’ sign reflects their party’s colour. The Liberals are red, the NDP are orange, the Bloc are blue, and (predictably) the Green are green.

Timmins, a northern Ontario town, and a member of the Timmins Islamic Centre. He told the *The Timmins Daily Press* that most of the local women do not wear the niqab, but some do. “My friend's wife was walking around Gillies Lake, and one person tried to hit her with a cane. If she gets hurt, it is because of the misunderstandings in the community.”⁶⁶⁰ He said that, “the message local Muslims get time and time again from people in Timmins is simple: ‘You don't belong.’”⁶⁶¹ When the Islamic Centre publicly celebrated Eid-al-Adha they were “deeply disturbed” by the hostile online response. The Centre explains that many Muslims come to Timmins and leave soon after. Ahmad Farrag, a medical doctor in the community, says, “I have a lot of friends who are physicians who have been offered permanent positions at the hospital, but they refused.”⁶⁶² Farrag also explains, however, that the anti-Islamic sentiment is not the only part of their experience in Timmins. “Just because some people act in a bad way ... we do not judge the entire city to be bad. ... I'm happy in my work and so are [many of] my friends. We want to stay here and have a good life. We just want less turbulence around Islam.”⁶⁶³

As Ishaq's niqab case became the public flashpoint for the conflicting values inscribed onto religious dress, there was a quantifiable increase in public hostility, physical, and verbal attacks against visibly Muslim individuals and mosques. “By framing the niqab unilaterally as a symbol of subjugation, the Harper government also positioned it as a threat to the Western way of life ...”⁶⁶⁴ Mosques began offering self-defence courses for women and girls. Women who had always worn the hijab without concern became “hyper-aware of people noticing it.”⁶⁶⁵

⁶⁶⁰ Moustapha Kori Mbami, quoted in Alan S. Hale, “Appalled Niqab is an Election Issue,” *The Timmins Daily Press* (Timmins, ON), October 16, 2015, A1.

⁶⁶¹ Mbami, quoted in Hale, “Appalled Niqab is an Election Issue,” A1.

⁶⁶² Ahmed Farrag, quoted in Hale, “Appalled Niqab is an Election Issue,” A1.

⁶⁶³ Farrag, quoted in Hale, A1.

⁶⁶⁴ McKeon, “Zunera's War.”

⁶⁶⁵ McKeon, “Zunera's War.”

Here the significance of embodied materiality becomes clearly evident. In her article, *On the Road: Travels with My Hijab*, Maliha Masood explains this: “[In America] people have a hard time believing that I’m a Muslim just because I don’t cover. They can tell by my funny sounding, hard-to-pronounce name that I must be a ‘foreigner,’ but that’s about it. The emphasis on image is so strong that if you don’t look like a caricatured Muslim, you simply cannot be one.”⁶⁶⁶ As S. Brent Plate argues, even in a society so focused on ideas, it is still not possible to sense in abstraction. We need sense-able objects on which to cast our projections.⁶⁶⁷ A Muslim woman without a veil — despite being part of the vast majority of Muslim women in North America — does not embody the general perception of who, and what, a Muslim woman “is.” A woman in a hijab, however — or even more so, a niqab — can embody all the negative associations with Islam. In the words of Plate, “Such is the paradox of religious experience: the most ordinary things can become extraordinary.”⁶⁶⁸ A few inches of chiffon comes to incarnate ideology most Canadians find repugnant. Noha Abdul Ghaffar expresses this experience: “When I go to the airport, and people see me in my niqab and abaya, and [my husband] Zuhair with his beard, oh my God! We’re Osama Bin Laden!”⁶⁶⁹ When Yvonne Ridley converted to Islam she began wearing the hijab, and noticed the results immediately. “... The repercussions were enormous. All I did was cover my head and hair — but I instantly became a second-class citizen.”⁶⁷⁰ Lauren McKeon explains, “The veil has come to symbolize everything Westerners project onto Islam—a kind of us-versus-them mentality that positions North America as an

⁶⁶⁶ Maliha Masood, “On the Road: Travels with My Hijab,” in *The Veil: Women Writers on Its History, Lore, and Politics*, ed. Jennifer Heath (Berkeley: University of California Press, 2008), 225.

⁶⁶⁷ Plate, *A History of Religion in 5 1/2 Objects*, 11.

⁶⁶⁸ Plate, *A History of Religion in 5 1/2 Objects*, 4.

⁶⁶⁹ Noha Abdul Ghaffar, personal conversation with the author, September 24, 2012.

⁶⁷⁰ Yvonne Ridley, “How I Came to Love the Veil,” *Washington Post* (Washington, D.C.), October 22, 2006, B01.

enlightened society and the Middle East as an archaic backwater.”⁶⁷¹ Natasha Bakht, a law professor at the University of Ottawa believes that, “Niqab-wearing women appear to provoke a repugnance in many people such that they are unable to move beyond this visceral reaction.”⁶⁷²

Zunera Ishaq lived this reality. When the court announced its decision in her favour, hate mail filled her Facebook page and her lawyer’s inbox. A woman from Fort McMurray, Alberta, wrote to Waldman saying, “You have the gaul [sic] to tell me on national television that I have to live in ‘harmony’ with individuals who have lived here for five years but who will only become citizens on their own terms.”⁶⁷³ Many told Ishaq to, predictably, “go back where you came from.”⁶⁷⁴ When a niqabi woman was attacked in Flemingdon Park, Toronto, Ishaq received an anonymous message warning her she “was next.” Ishaq describes that time as, “the worst days of my life.”⁶⁷⁵

Opposition to the Niqab

Objection to the niqab is multifaceted, but generally falls into five categories: 1) belief that the niqab is a symbol of women’s oppression; 2) fear of terrorism and national security; 3) concern that a niqabi woman cannot be identified; 4) an assumption that a visible face is necessary for clear communication; and 5) unease that the niqab is a sign that Muslims will not fully integrate.⁶⁷⁶ The idea that niqabs are a sign of Muslim women’s oppression, and that niqabi women cover at the demand of an intimidating man in their lives is the most commonly

⁶⁷¹ McKeon, “Zunera’s War.”

⁶⁷² Bakht, “Veiled Objections,” 70.

⁶⁷³ McKeon, “Zunera’s War.”

⁶⁷⁴ McKeon, “Zunera’s War.”

⁶⁷⁵ McKeon, “Zunera’s War.”

⁶⁷⁶ Bakht, “Veiled Objections,” 79.

expressed opposition.⁶⁷⁷ University of British Columbia political scientist emeritus Philip Resnick argues, “The niqab offends Canadian sensibilities in a way that the head scarf does not. It reminds us there are countries where women cannot show their faces in public. It represents the most backward-looking and repressive feature of Salafist ideology.”⁶⁷⁸ There are two problems with this line of thinking; the first is its focus on the men in their lives without considering the women’s own choices and agency. While women’s (like everyone’s) agency is socially located, and therefore behavior-directing and meaning-defining with some pressure to exercise certain practices, it certainly exists and it is important to center the conversation about women’s choices on the women making the choices.⁶⁷⁹

The focus on the men in Muslim women’s lives is rooted in older colonial attitudes that are still evident. In *That (Afghan) Girl!*, Zeiger asserts, “Veiled women—swathed from head to foot or behind the barred windows of the harem—have been the subject of photographs and paintings since Westerners began exploring and claiming the ‘exotic’ East.”⁶⁸⁰ In line with Rudyard Kipling’s infamous poem *The White Man’s Burden*, European men not only brought civilization to the “inferior” Middle Eastern others as colonizers, they “protected” local women from the oppression and degradation of local men.⁶⁸¹ Columbia University Indian scholar Gayatri Chakravorty Spivak infamously coined the phrase, “white men saving brown women from brown men.”⁶⁸² Harvard University Islamic feminist scholar Leila Ahmed expands on this

⁶⁷⁷ Bakht, “Veiled Objections.”

⁶⁷⁸ Todd, “Canadians Far From Resolving Niqab Issue.”

⁶⁷⁹ Barbara Applebaum, *Situated Moral Agency: Why It Matters?*, P. 360.

⁶⁸⁰ Zeiger, “That (Afghan) Girl!,” 266.

⁶⁸¹ Leila Ahmed, *A Quiet Revolution: The Veil’s Resurgence from the Middle East to America* (New Haven: Yale University Press, 2011), 23.

⁶⁸² Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois Press, 1988), 296.

idea, explaining, "... The visually arresting sign of the veil became a symbol both of Islam's degradation of women and of the religion's fundamental inferiority."⁶⁸³ University of Toronto post-colonial feminist scholar Sherene Razack argues that, "the regulation of the conduct of Muslim migrant communities, justified in the name of gender equality, resorts to culturalist arguments that Muslims are inherently patriarchal and uncivilized."⁶⁸⁴ These attitudes are as prevalent today as in the mid-19th century. Montreal Canadian Muslim blogger MGH, author of *The Middle Eastern Feminist*, posted the following:

Being a student of political science and philosophy in the west, I've been recently exposed to so much white saviourism ... regarding the Middle East that it's wild. In political science and feminist theory, so many of my class's discussion has revolved around women who veil and last week a question was brought up about whether their [sic.] should be laws that ban it to 'protect' women who veil, because apparently you can't willingly consent to it yourself. This discussion was mostly dominated by white people saying that this would protect Middle Eastern women even though bans are more likely to humiliate than protect.⁶⁸⁵

In her contribution to Lori Beaman's *Reasonable Accommodation*, Natasha Bakht contends, "... Muslim girls and women are perpetually perceived as imperilled and in need of protection from their family members, dangerous Muslim men." It is then "through the rescue efforts" of "civilized" Canadians — in this case the federal government — "that the girls will be saved."⁶⁸⁶

The ambiguity of Muslim femaleness with regard to social categories sits at the centre of this public debate, bound to what Sherry Ortner called "the purity/pollution idiom."⁶⁸⁷ This is of course not limited to Muslim or Arab women, as we saw in the case of Mennonite women. In the Western paradigm, women were first dangerous, but are now (usually) in danger, "justifying male

⁶⁸³ Ahmed, *A Quiet Revolution*, 24.

⁶⁸⁴ Bakht, "Veiled Objections," 81.

⁶⁸⁵ MGH *The Middle Eastern Feminist*. Facebook post, January 23, 2017.

⁶⁸⁶ Bakht, "Veiled Objections," 81.

⁶⁸⁷ Sherry Ortner, *The Virgin and the State*, 26.

protection ... Before they were polluting, and this had to be defended against, but now they are said to be pure, and need to be defended.”⁶⁸⁸ Both the Mennonite bonnet and Muslim niqab cases demonstrate that women often occupy both simultaneously.

Of course what is missing in this framework is the voices of the Muslim women themselves. There is not yet comprehensive research into the opinions of niqabi women in Canada, but in 2012 the Canadian Council of Muslim Women released a study called, *Women in Niqab Speak*. They interviewed 81 niqabi women in Quebec and Ontario, and most were like Ishaq: well-educated, married, foreign-born, and in their 20s or early 30s.⁶⁸⁹ While there are a myriad of reasons women choose the face veil, preliminary findings remain consistent: the women *do* choose it for themselves, often over the objections of their families. Like Baltej Singh Dhillon, Ishaq’s relatives asked her to remove her niqab (including the uncle who stopped visiting). She told each of her family members, “I prefer to think for myself.”⁶⁹⁰ She explains, “It’s precisely because I won’t listen to how other people want me to live my life that I wear a niqab.”⁶⁹¹ Ishaq acknowledges that there are contexts where men force women to veil, but does not feel that is grounds to deny her the right to make the choice for herself. “I do not disagree [that] some women [wear the niqab] out of pressure from their husbands or someone. But the niqab is a symbol of liberation for me. I chose it for myself.”⁶⁹² Ishaq’s choice is certainly located within a larger personal context, including both internal and external limitations and pressures related to her social and religious beliefs. As we have already discussed, Elizabeth

⁶⁸⁸ Ortner, *The Virgin and the State*, 26.

⁶⁸⁹ McKeon, “Zunera’s War.”

⁶⁹⁰ Zunera Ishaq, “Why I Intend to Wear a Niqab at my Citizenship Ceremony,” *The Toronto Star* (Toronto, ON), March 16, 2015.

⁶⁹¹ Ishaq, “Why I Intend to Wear a Niqab.”

⁶⁹² Todd, “The Paradoxical World of Zunera Ishaq.”

Wilson challenges the very idea of “choice” when it comes to how we dress ourselves as one of the foundational myths of consumer culture.⁶⁹³

While Ishaq’s dress practice is certainly socially located, there is no overtly tyrannical man of the public imagination pressing it on her. This matter of Ishaq’s decision to veil is central to both the court case and the public discussion surrounding it. The courts protect her right, as a free citizen with a sincerely held belief, to wear her niqab. If it was someone else’s belief (such as her husband’s) then the right is not protected. This, of course, is different from saying that she, or anyone, can make a choice entirely void of any social pressures beyond one’s control. Making such a claim or deliberation is beyond the prerogative (or possibility) of legal courts. Here, though, we see the convergence of dress, as situated bodily practice, articulating personal identity in the midst of social expectations and pressures.⁶⁹⁴ Many Muslim women are actively engaged in reimagining Islam in a back-and-forth between tradition(s) and experience(s). For Ishaq, her dress became her avenue of engagement.⁶⁹⁵ Yet, despite being located somewhere between external social forces and personal agency (as all people are), public opinion closely scrutinizes Muslim women’s decisions to veil in a way that is not equally applied to other women’s dress choices.⁶⁹⁶ This reality exists despite a great deal of research on how (secular) public spaces and institutions impose their own structures onto women’s bodies and dress practice.⁶⁹⁷

⁶⁹³ Elizabeth Wilson, “Can We Discuss This?” in *Modest Fashion*, 158-174.

⁶⁹⁴ Karen Tranberg and D. Soyini Madison, *African Dress*, 1.

⁶⁹⁵ Linda Woodhead, “Foreword” in *Modest Fashion*, xviii.

⁶⁹⁶ See, for example, Fadwa El Guindi, *Veil: Modesty, Privacy and Resistance* (Oxford: Berg, 2003).

⁶⁹⁷ For example, Joanne Entwistle, *Gender on Display*; Linda M. Scott, *Fresh Lipstick*; Jennifer Heath, *The Veil*; Yuniya Kawamura, *Doing Research in Fashion and Dress: An Introduction to Qualitative Methods*, (Oxford: Berg, 2011).

The second problem with focusing on the niqab as an assumed symbol of Muslim women's oppression is well summarized by Amira Elghawaby, Azeezah Kanji, Natasha Bakht, et al. in *Islamophobic "Feminism" Hurts Women*: "The critics who are so incensed by the subjugation of Muslim women tend to be conspicuously silent when the agents of violence are non-Muslims . . ." ⁶⁹⁸ If the matter is a deep concern for women's welfare such that individuals feel a necessity to publicly engage, then how are scholars to understand the parallel silence on undisputed examples of violence against women and women's inequality in this country?

Women in Canada are eleven times more likely than men to be victims of sexual violence, and Indigenous women are three times more likely than non-Indigenous women to be so. ⁶⁹⁹ Canadian women make, on average, 73 cents to their male colleague's dollar despite having surpassed men in education levels. ⁷⁰⁰ In 2011, there were a staggering 97 500 reported cases of domestic abuse. ⁷⁰¹ Approximately every six days in Canada a woman is murdered by her intimate partner, and the country's domestic abuse laws remain painfully inadequate to address the problem. ⁷⁰²

Yet there is nothing like the public outcry that exists over niqabs for these documented instances of abuse against women in Canadian communities. If, as Entwistle argued previously, social parameters around what dress is publicly appropriate articulate a culture's internal anxieties, and

⁶⁹⁸ Amira Elghawaby, Azeezah Kanji, Natasha Bakht, et al., "Islamophobic 'Feminism' Hurts Women; Anti-Muslim Racism Does Not Help the Fight Against Misogyny," *Ottawa Citizen*, October 4, 2016, A9.

⁶⁹⁹ "About Gender-based Violence," Status of Women Canada, Government of Canada, last modified October 11, 2016, <http://www.swc-cfc.gc.ca/violence/strategy-strategie/gbv-vfs-en.html>.

⁷⁰⁰ Tavia Grant, "Canada's Stalled Progress on Gender Pay Gap: Women Have 'Hit a Brick Wall,'" *The Globe and Mail* (Toronto, ON), October 9, 2015, <http://theglobeandmail.com>.

⁷⁰¹ Maire Sinha, "Section 3: Intimate Partner Violence," Statistics Canada, last modified November 13, 2015, <http://www.statcan.gc.ca/pub/85-002-x/2013001/article/11805/11805-3-eng.htm>.

⁷⁰² "The Alarming Stats on Domestic Violence in Canada," *The War At Home*, directed by Shelly Saywell (CBC: Firsthand, March 24, 2016), <http://www.cbc.ca/firsthand/features/the-alarming-stats-on-domestic-violence-in-canada>.

the niqab logically highlights concerns over security and women's equality, what does a simultaneous silence about conclusive women's rights issues say?⁷⁰³

Some opponents believe the niqab represents intolerance, and while there are certainly instances of this within Canada and abroad (as there are for many ideological dress items), there is no evidence that Ishaq, the embodied centre of the controversy, is herself intolerant. At no point in the debate did she denigrate others' beliefs, or promote her practices as necessary for others. In fact, she did the opposite, explaining, "I do not feel that Muslim women who do not wear the niqab are lesser than me. What I've done is my choice, another opinion."⁷⁰⁴ Yet in his article in which he quotes Ishaq, journalist Douglas Todd suggests she is a hypocrite, indicating that her ideology is more in line with the far-right stances of Conservative MP Kelli Leitch. However, this is not a completely accurate reflection of what Ishaq says: "... Being a Muslim, it's my view that homosexuality is not the right thing. But I have to tolerate it, without discrimination and without hatred. I have no issues with people who are homosexual."⁷⁰⁵ While she is certainly not an LGBT+ advocate, she frames her opposition in terms of what she considers her obligatory beliefs and her message is one of mutual tolerance. Todd points to her support of gender segregation and different roles for men and women (particularly regarding women not being Imams) as evidence of her anti-Canadian beliefs.⁷⁰⁶ However, in an open letter to new Prime Minister Justin Trudeau she states, "Finally we have a leader who appointed a cabinet that demonstrated gender equality and was comprised of people that represent the face of Canada."⁷⁰⁷ This hardly sounds like a woman who disputes the Canadian value of gender equity. In her

⁷⁰³ Joanne Entwistle, *Fashion and the Fleshy Body*, P. 325.

⁷⁰⁴ Todd, "The Paradoxical World of Zunera Ishaq."

⁷⁰⁵ Todd, "The Paradoxical World of Zunera Ishaq."

⁷⁰⁶ Todd, "The Paradoxical World of Zunera Ishaq."

⁷⁰⁷ Ishaq, "Niqab Activist's Letter to PM."

interview with Todd she also says she has high respect for Stephen Harper and that she believes he was only acting on his own beliefs, as she was, and that “has to be honoured.”⁷⁰⁸ In so doing she extends the value of respecting another’s right to different opinions to her most public opponent. The issue at hand is not these matters of public policy, but the reality of Ishaq’s beliefs in comparison to how they are presented in light of her wearing a niqab. These examples demonstrate the ways projecting societal anxieties onto dress choice can result in hearing a distorted message from the individual in the dress.

Likewise, when Todd asked her about abortion rights she replied, “According to Islam, I’m not given the choice to an abortion. But I respect all the different opinions and give them the same status. I do not feel anything bad for [women who have abortions]. Living in Canada, the most important thing to understand is that we are free in our choices.”⁷⁰⁹ Proponents of the Canadian diversity model may take issue with “tolerance” being the measure of integration and harmony, but Ishaq — the most publicly niqabi woman in Canada — is hardly articulating the intolerance many in her wider social context expect to hear from one embodying her dress practice. She is demonstrably not the figure of the public imagination, actively working for women’s rights, posing no threat to national security, is easily identifiable, communicates quite clearly with her face covered, and is committed to integrating into Canadian society while honouring her personal identity.

⁷⁰⁸ Todd, “The Paradoxical World of Zunera Ishaq.”

⁷⁰⁹ Todd, “The Paradoxical World of Zunera Ishaq.”

National Security and Identity

Letters to the editor during the Ishaq controversy demonstrate a general public unease at a covered face. Walter Stowe of Windsor, Ontario, wrote:

The Star showed in the paper this week two pictures showing, it said, Zunera Ishaq, wearing the niqab. But all we could see was a pair of eyes. How does anyone know it was really her? Could she have been sent here to stir up trouble in Canada? That's the question. ... I say, unless you can see the face to prove who you are, then don't bother coming to Canada for citizenship.⁷¹⁰

In 2015, Conservative MP Costa Menegakis, then-Parliamentary Secretary to the Citizenship and Immigration Minister, justified the citizenship niqab ban by saying, "We need to know who they are."⁷¹¹ Independent scholar, curator, and activist Jennifer Heath states, "... [The West] is obsessed with penetrating the veil and obfuscating the lines between public and private spaces."⁷¹² This includes both personal space and religious space. Those who wish women to remove their veils want these women to blur the line they have drawn for themselves between their private bodies and the public space they occupy. At the same time, some proponents of secularism delegate the veil (as a religious marker) to the private sphere. Yet, as a social object, society wants to know, as Stowe indicated, "who's under there."⁷¹³

Of course these attitudes have more to do with societal fears than with security concerns. Niqabi women regularly comply with security measures, including removing their veils for identification purposes at border crossings, banks, etc., and agree to be scanned and have their belongings examined, like other Canadians.⁷¹⁴ However, as Bakht argues, the "uncomplicated

⁷¹⁰ Walter Stowe, "How Do We Know Who's Under There?" *The Windsor Star* (Windsor, ON), October 17, 2015, A9.

⁷¹¹ Bryden, "Tony Clement Defends Niqab Ban."

⁷¹² Heath, ed. *The Veil: Women Writers*, 8.

⁷¹³ Stowe, "How Do We Know Who's Under There?"

⁷¹⁴ Bakht, "Veiled Objections," 85.

nexus” drawn between a niqabi woman and honour killings, ISIS beheadings, and terrorist plots, “suggests that in the public’s imagination Muslims are inherently dangerous and therefore legitimately seen as security risks.”⁷¹⁵ Ultimately, Bakht argues, these views, “reveal less about Muslim women than they do about the objectors.”⁷¹⁶

Like the concern over Muslim women’s gender equity, any non-Muslim Canadians who are concerned about the risk of terrorism should understand the importance of working *with* Muslim Canadians and not typecasting them as fundamentally dangerous. In his article, *Harper’s Niqab Ban Plays Dangerous Politics*, Gerald Caplan argues:

CSIS and the Mounties badly need the co-operation of the Muslim community to provide information about security risks among them. Yet even moderate Muslims – the large majority – are outraged by the way the government has, among other things, been picking on this one harmless Muslim woman, and in the process mocking the right of all Muslims to follow their religion in the way they want. Out of sheer political opportunism, Stephen Harper is undermining that community’s trust in official Canada while very likely estranging and radicalizing some Muslims, perhaps dangerously.⁷¹⁷

Zunera Ishaq’s niqab, an unremarkable length of fabric in and of itself, created such national public tension that it affected the relationship between parts of the Canadian Muslim community and the federal government – a relationship that is instrumental in national counter-terrorism. In the Harper government’s choice to focus on the niqab as a banner for their opposition to extremism, they in fact hampered an important part of counter-terrorism work.

⁷¹⁵ Bakht, “Veiled Objections,” 85.

⁷¹⁶ Bakht, “Veiled Objections,” 97.

⁷¹⁷ Caplan, “Harper’s niqab ban plays dangerous politics.”

Communication and Social Conventions

Others argue that the niqab is a barrier to communication. Homa Wilson, an assistant solicitor specializing in employment and discrimination law, disagrees: "... we are very experienced in non face-to-face communication; for example, when we speak over the phone or communicate via the internet we can't rely on a person's body language or facial expressions. Yet we don't have a problem in understanding what is being communicated."⁷¹⁸ Yvonne Ridley, the woman who felt like a second-class citizen when she adopted the hijab, expresses a similar sentiment:

I didn't know whether to scream or laugh when Italy's [former Prime Minister Romano] Prodi joined the debate last week by declaring that it is 'common sense' not to wear the nikab because it makes social relations 'more difficult.' Nonsense. If this is the case, then why are cellphones, landlines, e-mail, text messaging and fax machines in daily use? And no one switches off the radio because they can't see the presenter's face."⁷¹⁹

Others argue that the niqab is simply rude in a Western context. In her article, *Veiled Insult*, Ann Applebaum argues, "... it [is] considered rude, in a Western country, to hide one's face. We wear masks when we want to frighten, when we are in mourning or when we want to conceal our identities. ... Thieves and actors hide their faces in the West; honest people look you straight in the eye."⁷²⁰ Some Canadian Muslim women share this idea. Pakistani-born Muslim women's rights activist Raheel Raza wrote, "Our face is our identity and common sense requires for it be uncovered."⁷²¹ This is a clear illustration of how, as Entwistle explained earlier, breaking dress codes of conduct bring such conventions to the fore, and how the bodies that break these

⁷¹⁸ Homa Wilson, Assistant Solicitor specializing in employment and discrimination law, quoted in Bakht, "Veiled Objections," 102. note 25 from Tilly Rubens, "Should the Veil Be Worn in Court?" *Times Online*, February 6, 2007, <http://business.timesonline.co.uk/>.

⁷¹⁹ Ridley, "How I Came to Love the Veil," B01.

⁷²⁰ Ann Applebaum, "Veiled Insult," *Washington Post* (Washington, D.C.), October 24, 2006, A19.

⁷²¹ Raheel Raza, quoted in Bakht, "Veiled Assumptions," 89.

social rules risk exclusion and scorn. Social groups expect “common sense” to manage individuals’ dress choices within these boundaries.⁷²²

University of Ottawa religious studies scholar Lori Beaman argues, however, that “The assumption underlying common sense is that we all share similar experiences and have ready access to the knowledge offered by them.”⁷²³ She explains that “common sense” is a cultural system, socially and historically constructed, and by no means universal.⁷²⁴ The opponents’ arguments imply that veiled Muslim women, regardless of where they were born, will always be foreigners and outsiders. They promote a power system where “Western hosts” act as gatekeepers for “non-Western guests,” and affirm the idea that niqabi women are inherently frightening.⁷²⁵ Natasha Bakht expands on this: “The moral limits of public behaviour are neatly subsumed in the language of politeness. Through the supposedly neutral idiom of courtesy, certain cultural, racial, and gendered attributes and modes of behaviour are furthered as appropriate while others are deemed unacceptable, even excessive.”⁷²⁶ This polarity requires no justification because it represents and privileges the dominant culture’s perspective, “which sees itself as gracious.”⁷²⁷ Opponents view the niqab as a, “hostile rejection of our open Western societies that one day welcomed those people as guests.”⁷²⁸ They perceive it as a symbol of confrontation, or as a challenge to Western codes of dress and behaviour.⁷²⁹ Harper’s “anti-women” and “Canadian values” comments are an example of how the niqab is understood “as

⁷²² Entwistle, *Fashion the the Fleishy Body*, 324.

⁷²³ Beaman, *Reasonable Accommodation*, 95.

⁷²⁴ Beaman, 95.

⁷²⁵ Bakht, “Veiled Objections,” 88-89.

⁷²⁶ Bakht, 89.

⁷²⁷ Bakht, 89.

⁷²⁸ Sawitri Saharso and Doutje Lettinga, “Contentious Citizenship: Policies and Debates on the Veil in the Netherlands,” *Social Politics* 15, no. 4 (December 2008): 470.

⁷²⁹ Bakht, “Veiled Objections,” 89.

plainly offensive to the values we cherish.”⁷³⁰ Sevgi Kilic argues this makes niqabi women come across as ungrateful for not imitating their hosts.⁷³¹ Beaman summarizes this situation succinctly: “In the absence of analyses that critically reflect on these ... biases, debates can be structured so that dominant group norms appear to be universal and superior while minority group norms appear to be self-focused and inferior.”⁷³² John D. Marvin, a resident of Peterborough, Ontario, expressed this sentiment in his letter to the editor: “I was absolutely astounded that this woman thinks she has the right to have the rules and regulations of this country altered to accommodate her customs ...”⁷³³ In this environment, it is others’ reaction that justifies banning the niqab.⁷³⁴ It is important to note here how the oppositions based on manners are in tension with the oppositions based on oppression. Taken together, a niqabi woman is meek and oppressed while simultaneously being confrontational and selfishly aggressive.

Integration

Lastly, many Canadians believe the niqab represents an unwillingness to integrate into mainstream society. The item of cloth seems to embody a stubborn obstinacy to “foreign ways,” despite many niqabi women demonstrating an eagerness to be actively involved in Canadian society.⁷³⁵ Zunera Ishaq publicly states that she can best serve Canada through activism. In addition to her many volunteer activities, she is now actively involved in the cause of Syrian refugees. Many who met her in the midst of her legal battle, including her lawyers Lorne

⁷³⁰ Bakht, “Veiled Objections,” 89.

⁷³¹ Sevgi Kilic, “The British Veil Wars,” *Social Politics* 15, no. 4 (August 2009): 450.

⁷³² Beaman, *Defining Harm*, 59.

⁷³³ John D. Marvin, letter to the editor, *Peterborough Examiner*, October 22, 2015, A4.

⁷³⁴ Bakht, “Veiled Objections,” 89.

⁷³⁵ Heather Akou, in her study of Somali American dress, argues that many items of dress that North Americans read as “traditional” are, in fact, anything but. However, retaining them is interpreted as an obstinate allegiance to a person’s homeland. “More Than Costume History: Dress in Somali Culture” in *Dress Sense*. P. 16.

Waldman and Naseem Mithoowani, and then-Liberal candidate Justin Trudeau, described her as a “model Canadian.”⁷³⁶ This is certainly, at least in part, intentional public messaging to convince Canadians of Ishaq’s “acceptability.” Yet, as discussed earlier, Ishaq’s dedication to volunteerism is not incidental, nor is it that she merely happens to share these Canadian values. Ishaq’s service work is deeply rooted in her Islamic faith, represented in her niqab. Both are situated embodied practices expressing her religious beliefs.

Raheel Raza believes the niqab “ghettoizes” the Muslim Canadian community, and that they are then choosing to be “the other.” “... If we don’t get with the plan and work towards being the mainstream ... [i]f we insist that we can’t change, then we’re entirely to blame when we remain on the fringes of society.”⁷³⁷ However, Gauri van Gulik, a global advocate in the Women’s Rights Division of Human Rights Watch, wrote in a report on hijabs, “... banning the headscarf is the worst possible policy response to the need to bring people into mainstream society. Our research showed that the ban serves to exclude, rather than include.”⁷³⁸ If Canadians wish veiled Muslim women to integrate then public spaces must feel welcoming to them. Van Gulik explains, “Many women we talked to felt alienated by the bans, even though some had lived in [the country] for decades or even their entire lives.”⁷³⁹ Communicating to women that

⁷³⁶ Caplan, “Harper’s niqab ban plays dangerous politics.”

⁷³⁷ Raheel Raza, “Let’s Pull the Veil Off Our Minds,” *Raheel’s Ramblings*. <http://www.raheelraza.com/veils.htm>

⁷³⁸ Gauri van Gulik, Global Advocate, Women’s Rights Division, “Headscarves: The Wrong Battle,” Human Rights Watch, last modified March 14, 2009, <https://www.hrw.org/news/2009/03/14/headscarves-wrong-battle>. While the hijab is not a niqab, all women who wear a niqab necessarily wear a hijab. Both are part of the practice of hijab (as a verb). There is great internal debate within Islam on what constitutes this practice, including whether the niqab is necessary, or even if a headscarf is necessary to practice hijab, but that is beyond the scope of this research. See for example, Alena Heitlinger, *Émigré Feminism: Transnational Perspectives*, (Toronto: University of Toronto Press, 1999). While there is certainly a difference in how the general public feels about the hijab and niqab, the two are undeniably linked in both practice and public narratives. HRW’s research demonstrates the fallacy of the idea that the practice of hijab as inherently isolating, and that in fact attempts to limit or ban public practice is what isolates hijabi (and thereby niqabi) women.

⁷³⁹ van Gulik, “Headscarves: The Wrong Battle.”

their embodied beliefs are socially unacceptable only serves to ostracize them from the mainstream. “Gender equality and peaceful integration should be prime objectives for anyone concerned with public policy. These objectives are not met by excluding women who make a choice to cover their hair.”⁷⁴⁰ Bakht argues that such critics will never accept niqabi women in the mainstream because, “... we need the niqab-wearing woman in order to create a self-portrait that is flattering — one that is virtuous while she is aberrant, innocent in contrast to her guilt, and powerful as she is weak.”⁷⁴¹ This exclusion centres on the veil. “The integration of Muslim women in society is articulated as a problem, but its cause is located not in society with its systemic barriers to inclusion that we benefit from and perpetuate but in Muslim women’s choice to veil.”⁷⁴² Muslim women who, like Raheel Raza, “get with the plan and work towards being mainstream,” are not considered a threat, “... because they are ‘like us’ – that is, like Christians.”⁷⁴³ It does not seem possible, however, for niqabi women to be, “incorporated into the identity of the nation-state,”⁷⁴⁴ because their veil personifies that which is simply too “other.”

Feminism and Muslim Women’s Agency

Lori Beaman contends that, “People from minority communities are more likely to have their capacity for agency scrutinized than members of the dominant mainstream culture.”⁷⁴⁵

Richard Moon makes the same point in *Law and Religious Pluralism in Canada*, as does Saba Mahmood in *Politics of Piety*.⁷⁴⁶ In her now famous article, *Is Multiculturalism Bad for Women?*,

⁷⁴⁰ van Gulik, “Headscarves: The Wrong Battle.”

⁷⁴¹ Bakht, “Veiled Objections,” 99.

⁷⁴² Bakht, “Veiled Objections,” 99.

⁷⁴³ Bakht, 99.

⁷⁴⁴ Bakht, 78.

⁷⁴⁵ Lori Beaman, “Defiant Religion: The Promise and the Peril of Legal Interpretation,” in *Law and Religious Pluralism in Canada*, ed. Richard J. Moon (Vancouver: UBC Press, 2008), 211.

⁷⁴⁶ Richard Moon, *Law and Religious Pluralism in Canada* (Vancouver: UBC Press, 2008); Saba Mahmood,

Susan Moller Okin poses the question, "... what should be done when the claims of minority cultures or religions clash with the norm of gender equality that is ... formally endorsed by liberal states ...?"⁷⁴⁷ She argues that, "from a feminist point of view," minority group rights are by no means "part of the solution," and "may well exacerbate the problem." She goes so far as to claim that these women, "might be much better off if the culture into which they were born were either to become extinct (so that its members would become integrated into the less sexist surrounding culture), or, preferably, to be encouraged to alter itself so as to reinforce the equality of women ..."⁷⁴⁸ She argues that the founding myth of many religions, including Islam, justifies the control and subordination of women.⁷⁴⁹ As with the case of Mennonite women's headcoverings, patriarchy and subservience are certainly part of this, but acting as though it is the whole story itself silences and represses women's voices and experiences. In her response to Okin, *Is Western Patriarchal Feminism Good for Third World/Minority Women?*, Azizah Y. Al-Hibri appreciates that Okin's position, "has more integrity than one which views the ... 'alien immigrants' condescendingly and argues, under the guise of Western liberalism, that 'those people' should be allowed to live in accordance with their own lower standards of human rights."⁷⁵⁰ But she takes issue with the assumed all-inclusivity of Okin's arguments. "If she is right about the universality of her principles, then ... why should women wait for salvation, when the West can readily defend their right by use of force if necessary?"⁷⁵¹ Al-Hibri notes that

Politics of Piety: The Islamic Revival and the Feminist Subject (Princeton: Princeton University Press, 2005).

⁷⁴⁷ Susan Moller Okin, "Is Multiculturalism Bad for Women?" in *Is Multiculturalism Bad for Women?* ed. Susan Moller Okin, Joshua Cohen, Matthew Howard, and Martha C. Nussbaum (Princeton: Princeton University Press, 1999), 9.

⁷⁴⁸ Moller Okin, 22-23.

⁷⁴⁹ Moller Okin, 13.

⁷⁵⁰ Azizah Y. Al-Hibri, "Is Western Patriarchal Feminism Good for Third World/Minority Women?" in *Is Multiculturalism Bad for Women?* ed. Susan Moller Okin, Joshua Cohen, Matthew Howard, and Martha C. Nussbaum (Princeton: Princeton University Press, 1999), 41.

⁷⁵¹ Al-Hibri, 41.

Okin's fatal flaw is exclusively using sources from outside these cultures, and I would add, lacking any sort of religious studies scholarship when applying christocentric secular standards to an un-nuanced pan-Islam.

Okin is far from alone in her views. In her *National Post* article, *The Attacks in Cologne Reveal the Ugly Truth: Cultural Relativism is Harmful to Women*, Tasha Kheiriddin claims that the introduction of intersectionality to feminism is counter productive to gender equality. "... The ugly truth [is] cultural relativism is harmful to women. And feminists who refuse to call out sexism because they fear being called racist are doing women no favours."⁷⁵² Kheiriddin goes on to say:

In the debate over the place of women in Islam and Islam's place in the women's movement, feminists have been trying to have it both ways. ... They point to women within the Islamic community who defend these practices, such as Zunera Ishaq ... After all, it was her choice to cover her face. ... One wonders what the millions of women who did not have that choice would say. This includes Canadian women like young Aqsa Parvez, who was killed by her father for refusing to show respect by donning a hijab. ... Aqsa's own mother even blamed the victim for not listening to her father. ... That's not choice. That's indoctrination ...⁷⁵³

As in the case of the Western saviour complex, there is an uncomplicated straight line drawn from the niqab (and hijab) to criminal behaviour.

Latham Hunter, a former McMaster University professor of communications and cultural studies who self-identifies as, "a white Canadian atheist feminist" states her opinion succinctly: "In an age when hundreds of thousands are desperate to find refuge in the western world, we cannot lose ground in the fight for gender equality by ignoring the fact that the hijab and niqab

⁷⁵² Tasha Kheiriddin, "The Attacks in Cologne Reveal the Ugly Truth: Cultural Relativism is Harmful to Women," *National Post* (Toronto, ON), January 13, 2016.

⁷⁵³ Kheiriddin, "The Attacks in Cologne."

are tools of oppression as well as expressions of religion.”⁷⁵⁴ She argues that, “we should [grapple] with complexity, not [gloss] it over. Otherwise, we’re merely multicultural pretenders rather than multicultural exemplars.”⁷⁵⁵ This comment quickly and easily positions Canadian identity as one of multicultural excellence in practice, but rooted in a specific view of gender equality that “glosses over” the very complexity Hunter seeks to engage. Hunter argues that, “[Ishaq says] it was ‘just a piece of cloth’ that was a personal issue of her own. Again, I think this oversimplifies a very complex issue; this ‘piece of cloth’ is, after all, favoured by ISIS.”⁷⁵⁶ Hunter is correct that, in essence, as a symbol the niqab matters (though ironically she oversimplifies the issue to the other extreme). It has significance beyond its weft and weave. However, her implication is that Ishaq lacks her own agency, rather than examining the location of this agentic act. Like Hunter and many others, Douglas Todd questioned Ishaq’s, “...’ choice’ to cover her face ...”⁷⁵⁷ Okin, Kheiriddin, Hunter, and Todd all make the same mistake: reducing a variety of cultures, circumstances, practices, and beliefs into one homogeneous reprehensible phenomenon, embodied in a face veil.

To have a discussion on the niqab (or hijab) based on lived realities, rather than sensationalized stereotypes, it is imperative to include *these* women’s voices. Hijabi Yvonne Ridley explains that, “by veiling, women register their role as central in the public expression of Muslim cultural difference ... It is a personal statement: My dress tells you that I am a Muslim and that I expect to be treated respectfully, much as a Wall Street banker would say that a business suit defines him as an executive to be taken seriously.”⁷⁵⁸ Like the Mennonite women in

⁷⁵⁴ Latham Hunter, “It’s Not Just a Piece of Cloth: Don’t Mistake Misogynist Intent for Religious Rights,” *The Hamilton Spectator* (Hamilton, ON), October 29, 2015, A13.

⁷⁵⁵ Hunter, “It’s Not Just a Piece of Cloth.”

⁷⁵⁶ Hunter, “It’s Not Just a Piece of Cloth.”

⁷⁵⁷ Todd, “Canadians Far From Resolving Niqab Issue.”

⁷⁵⁸ Ridley, “How I Came to Love the Veil.”

Chapter Three, Muslim women disproportionately carry (and embody) the symbolism of their community. Both, to varying degrees, wish to be “other” than the mainstream, but whereas Mennonite women represented a community that actively sought to non-conform, women like Zunera Ishaq wish to actively participate in the dominant Canadian culture, but with compromises that leave their primary identity intact.

Natasha Bakht describes how embodied materiality communicates for the wearer; “Many Muslim women literally wear their religious convictions, for all to see ... The headscarf can express an active interest in Islamic scripture, as a gesture to reaffirm a commitment to Islamic morality and identity within a modern social context, rather than manifesting a passive submission to the Islamic community.”⁷⁵⁹ These convictions include a rejection of the hyper-sexualization, and subsequent female objectification, of Western society. But because “Muslim women are deemed incapable of making these emancipatory choices,” this symbol of dissent, “is necessarily categorized as the subordination of women rather than as a reaction by a minority of young women who are repulsed by the ubiquitous image of femininity offered in most Western nations.”⁷⁶⁰

Catherine MacKinnon made waves as a feminist for arguing that, despite what they may believe, women cannot actually choose to wear the hijab (and presumably the niqab). Believing that they can is a “false consciousness” because their culture (and religion?) irrevocably and perniciously instil their self-perception and social location.⁷⁶¹ MacKinnon is a renowned and brilliant feminist scholar and lawyer, who focuses most of her work on the damage pornography does to women, and sexual inequality between men and women. Her long-time collaborator

⁷⁵⁹ Bakht, “Veiled Objections,” 73.

⁷⁶⁰ Bakht, 81.

⁷⁶¹ Bakht, 72-73.

Andrea Dworkin originated a now-well-known idea that MacKinnon further developed: that a woman cannot fully consent to heterosexual sexual relations because of the inherent inequality between men and women.⁷⁶² MacKinnon explains that their theory, “problematizes any [heterosexual acts] that take place under conditions of sex inequality,” which, “in a certain structural sense,” is all of them.⁷⁶³ Their argument highlighted an important, but often overlooked, dynamic in heterosexual relationships, but their work on heterosexual consent has been largely dismissed as too radical by feminist scholars and lawmakers alike. It is not easy to dismiss Dworkin’s carefully constructed arguments when read attentively, but the large number of heterosexuals in these groups, no doubt, affected its reception. Asymmetric positions of social power affect the perceived dynamics of relationship and encounter.⁷⁶⁴ “We” know that this supposition is “absurd” and does not reflect the nature of “our” relationships. Yet, the idea that a Muslim woman cannot truly choose to veil is not dismissed in the same way by the same individuals and groups who reject the heterosexual theory. The majority recognizes the diversity within its own experiences, but denies it for a minority whom they read as vulnerable or inherently oppressed.

This idea not only strips Muslim women of their agency, it reveals the same problematic “universal” assumptions — positioned (often subtly) as “We” and “They” — as evident in Okin’s writings. As discussed in Chapter Two, there are certainly important arguments to be made about an individual’s — any individual’s — ability to make choices completely removed

⁷⁶² They are often misquoted to say that all heterosexual sex is rape, which is not their position. Andrea Dworkin, *Intercourse* (New York: Basic Books, 2006)

⁷⁶³ Catherine MacKinnon, quoted in Stuart Jeffries, “Are Women Human?” *The Guardian*, April 12, 2006.

⁷⁶⁴ Alison Jones. “The Limits of Cross-Cultural Dialogue: Pedagogy, Desire, and Absolution in the Classroom,” *Educational Theory* 49, no. 3 (1999): 307.

from any sort of structural or social pressure (or “sacred canopy”)⁷⁶⁵ The point, however, is not whether Dworkin is correct or to what extent Ishaq’s choice is socially constructed and externally influenced. Rather, the point is the general credence given to questioning a Muslim woman’s ability to choose to veil while simultaneously dismissing a parallel line of reasoning about an “us” issue. There is a presumed “reason” to intense focus on Muslim women’s headcoverings without anything like the same scrutiny given to parallel ideas around women’s sexual consent, or why women “choose” to shave body hair, wear chemical-laden makeup, or wear physiologically damaging high heels. All of these dress practices are socially located, as is overtly religious dress, but since the dressed body is the outcome of situated bodily practices, and those (secular mainstream) shaved bodies in heels and carcinogenic makeup are situated in dominant positions of power, they embody other narratives whose destructive qualities are largely unquestioned.⁷⁶⁶ This reveals an underlying tension about Islam specifically. Once again, the social body articulates its internal anxieties with items of dress – in this case the niqab. Executive director of the women’s rights division at Human Rights Watch told *Al Jazeera*, “I think we have to look at the disproportionate focus on the veil and the hijab [being] because it is from Islam.”⁷⁶⁷

There is a prevalent false dichotomy between multiculturalism and feminism, as though the two are inherently at odds. Yet Yvonne Ridley argues that, “Muslim feminists are more radical than their secular counterparts.”⁷⁶⁸ Besides the obvious overlooking of Muslim feminists, including notable figures such as Leila Ahmed, Mona Eltahawy, Linda Sarsour, Nawal El

⁷⁶⁵ Peter Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (Garden City, NY: Doubleday, 1967).

⁷⁶⁶ Joanne Entwistle, “Fashion and the Fleshy Body,” 341.

⁷⁶⁷ Anon., “A Veil Ban, ‘Barbaric Practises,’ and Canada’s Election.”

⁷⁶⁸ Ridley, “How I Came to Love the Veil.”

Sadaawi, and Malalai Joya, such a binary structure necessarily forces niqabi women into the category of victim. However, the veil is itself an inherently feminist issue. As Jennifer Heath notes, "... The veil is commonly associated with females and seems to have a kind of feminine pulse."⁷⁶⁹ Dinah Zeiger asks, "What is it about a veil that poses such a threat to Western women?"⁷⁷⁰ In her article, *On the Road: Travels with My Hijab*, Maliha Masood contends that,

One of the most contentious debates in some analytical circles underlies the assumption that feminists oppose the veil and antifeminists don't. That is to say, a covered Muslim woman cannot possibly have a mind of her own, that in order to improve her status and move forward, she has to reject Islamic traditions and adopt Western ways.⁷⁷¹

She rejects the emphasis on, "the wearing or not wearing of the veil as the sole determinant of Muslim women's freedom and mobility or lack thereof."⁷⁷² Leila Ahmed contrasts this with how the bra became a contentious issue in the women's lib movement, but never eclipsed the discourse on gender justice.⁷⁷³

Masood also notes a power within the niqab. "As a physical barrier, the veil denies men their usual privilege of discerning whomever they desire. By default, the women are in command. The female scrutinizes the male. Her gaze from behind the anonymity of her face veil or niqab is a kind of surveillance that casts her in the dominant position."⁷⁷⁴ This strength is routinely overlooked, overshadowed by the oppressed victim narrative.⁷⁷⁵ Spaces impose different ways of being on men and women, whether it is a masjid or an office. Entwistle

⁷⁶⁹ Heath, ed., *The Veil: Women Writers*, 2.

⁷⁷⁰ Zeiger, "That (Afghan) Girl!," 266.

⁷⁷¹ Masood, "On the Road: Travels with My Hijab," 219.

⁷⁷² Masood, 219.

⁷⁷³ Masood, 219.

⁷⁷⁴ Masood, 226.

⁷⁷⁵ This is not to say that Islam, like other social systems (including but not limited to religions) does not impose specific restraints on women, or that there is no element of patriarchal control in Islamic (or other) dress traditions.

explains that “women may have to think more carefully about how they appear in public than men, ... and the way they experience public spaces ... is likely to be different to the way men experience such spaces.”⁷⁷⁶ As a result, women employ strategies of dress to manage their bodies in public. A professional woman, for example, may wear a pantsuit to minimize her feminine form in the workplace. Or a woman who puts on a short skirt to wear at a nightclub, and who feels perfectly comfortable dressed that way within the club, puts on a long coat to navigate the streets between her home and the club.⁷⁷⁷

While most women employ such strategies (often unconsciously) a large amount of the time, the focus on Muslim women’s supposed structural oppression is, in part, due to Canadian concepts of idealized femininity, which are problematic in relation to the niqab. Women should not be *too* submissive, but they also cannot be *too* defiant. When one adds the elements of minority ethnicity and religion, the woman experiences greater scrutiny. “There appears to be a shifting line between oppressed Muslim women and Muslim women’s independent behaviour that is deemed excessive or unreasonable. When their actions reveal too much agency, Muslim women’s conduct must be curtailed in order to successfully operate within the frameworks we have created for them.”⁷⁷⁸ This is a modification of Reina Lewis’ “modesty double standard” in practice, and Entwistle’s concern for modesty’s potentially disruptive nature.⁷⁷⁹

This fixation on Muslim women’s bodies displays an underlying acceptance that women are the symbols of their communities. There is no equivalent opposition when men wear Muslim-coded dress.⁷⁸⁰ It is not incidental that the government justified military engagement in

⁷⁷⁶ Entwistle, *Gender on Display*, 339.

⁷⁷⁷ Entwistle, 339-340.

⁷⁷⁸ Bakht, “Veiled Objections,” 98.

⁷⁷⁹ Reina Lewis, *Modest Fashion*, 10; Joanne Entwistle, *Fashion and the Fleshy Body*, 324.

⁷⁸⁰ Although they certainly encounter prejudice.

Afghanistan on the basis of protecting “ourselves” and liberating Afghan women. In the public letter to the *Ottawa Citizen* discussed earlier (*Islamophobic ‘Feminism’ Hurts Women*), the female Islamic leaders voiced their frustrations with these ongoing tropes, and it seems appropriate to give them the last word:

We are fighting the struggles that need to be fought on several fronts: against sexism, against racism, against Islamophobia. We do not need to be told what to wear on our faces and on our heads and on our bodies, or where to sit when we pray. And we definitely do not need to be “saved” by ideologues who are only interested in Islam to prove its supposed inferiority, or as a proxy for attacking a political party. It is an insult to Muslim women’s agency and intelligence to be rendered silent puppets in a stale supremacist script.⁷⁸¹

Conclusion: Niqabs, Embodied Communication

This chapter examines the ways niqab-wearing women in Canada incarnate certain messages about women, ethnicity, and Islam, illustrated in the case of Zunera Ishaq. In addition to stereotyped ideas about Islam and Muslims, there are the messages of empowerment, liberation from the male gaze, tolerance for the other, and personified religious belief in situated bodily dress practice from the women themselves. Ishaq took a very public stand in an attempt to communicate some of these messages. She was successful in court, and earned the right to wear her niqab during her citizenship oath. However, she was unsuccessful in her attempt to deliver this message to the Conservative government and many Canadians. They were only able to hear the narrative that fit their understanding of the niqab within their microsocial order.⁷⁸² This is the story of the niqab as an unchangeable symbol of subjugation and violent oppression. These individuals read the niqab as a barrier to communication and as a symbol of an unwillingness to

⁷⁸¹ Elghawaby, Kanji, Bakht, et al., “Islamophobic ‘Feminism’ Hurts Women.”

⁷⁸² Entwistle, “Fashion and the Fleishy Body,” 328.

integrate into Canadian society. Wearing this object in this social context is at best rude, and at worst a threat to national security. When the federal government refused to hear Ishaq's meaning it took another branch of government, the federal court, to enact change. The Conservative Party's willingness to use the issue for political gain in part contributed to a turn in sentiment against them in the election. Justin Trudeau and the Liberal Party's equally political tactic to emphasize diversity as a Canadian strength played better to an electorate generally uncomfortable with blatant wedge politics.

Yet, despite such a positive reception to a diversity model, visible religion in the public sphere continues to be perceived as dangerous. This is particularly true when it comes in the form of dark fabric swathed over a Muslim woman's body. Whether they are concerns about social niceties or Muslim women's agentic capacities, it is clear that these objections are rooted more in a visceral mistrust of overt Islam, and a disproportionate focus on women's embodied religious practices, than in factually grounded matters. According to this line of thought it is the responsibility of those concerned with gender equality — whether they are politicians or feminists — to “save” the Muslim woman from her maltreatment (whether she wishes to be or not). In this scenario, the veil acts as the barrier between the woman's imprisonment in backward Islamic rituals, and liberation through more progressive “Western” practices. Yet gender equality and religious freedom are not only *not* antithetical, they are both essential for the proper functioning of this contemporary liberal democracy. These ideas miss the many varied experiences of Muslim women in Canada. Their embodied behaviour is far from a unified Islamic position, and these women's own narratives dissolve the rigid boundaries of subordination and victimhood constructed around their dress.⁷⁸³

⁷⁸³ For more on this, see Saima S. Hussain, *The Muslimah Who Fell to Earth: Personal Stories by Canadian Muslim*



Fig. 11. Zunera Ishaq takes the oath of citizenship, October 5, 2015.
<http://www.cbc.ca/gfx/topvideo/2015/ishaq2-citizenship-oath-100915.jpg>.

Women (Toronto: Mawenzi House Publ., 2016) including Zunera Ishaq's chapter, *My Journey With the Niqab*.



Fig. 12. Justin Trudeau, leader of the Liberal Party, Stephen Harper, leader of the Conservative Party, and Tom Mulcair, leader of the New Democratic Party at the National Leader's Debate, August 6, 2015. http://www.huffingtonpost.ca/2015/09/30/vote-splitting-mulcair-trudeau-harper_n_8220820.html

CONCLUSION: As Canadian As Possible

*“Vain trifles as they seem, clothes have, they say,
more important offices than merely to keep us warm.
They change our view of the world
and the world’s view of us.”
- Virginia Woolf, Orlando*

Anna Wall grew up in the Old Colony church in Mexico, a small conservative Mennonite group often mistaken for Hutterites or Amish. She moved to Canada in 1993 when she married at sixteen, and left the marriage and the church when she was nineteen. Alone for the first time, Anna declined her family’s suggestion to return to Mexico and instead worked hard to build a new life for herself in a strange country with a completely foreign culture. Leaving the self-isolating church community meant that she had to make her way in a culture that she had always been taught was unsafe and immoral. Unable to read, and speaking very little English (Old Colony Mennonites speak a dialect of low German and mistrust “book learning”), Anna got herself an apartment and a job, eventually putting herself through school. Discerning her individual identity removed from her communal colony has been a decades long process of trial and error. Leaving the church and the community did not mean completely wiping the slate clean, but rather meant (and means) an ongoing assessment of each opinion, practice, habit, and thought one by one.

Three years after leaving, Anna had significantly transformed her life, but her plain clothes were one of the last practices to go. While she did not judge the “English” (non-Mennonite) women for how they dressed, adopting contemporary styles *felt* wrong. Even though she was no longer a church member and had not been for some time, her plain dress was deeply

entrenched in her sense of self and how she interacted with the world.⁷⁸⁴ However, never one to shy away from change, Anna decided that if she was going to be “in the world” then it was time that she looked the part. Having no frame of reference, and really not knowing anything about Canadian women’s fashions, she went to the local thrift store to buy herself a new wardrobe. At the store she found a beautiful purple satin dress, fringed with lace. Having worn dresses her whole life Anna could not quite bring herself to wear pants yet, but this one could not be much further from the Old Colony style. The straps were too small and the neckline was too low for her comfort, but she decided she could wear a sweater over it. She bought the dress for herself and took it home. Not ready to go out in her new clothes, Anna wore the purple dress around her house until she felt more at ease.⁷⁸⁵

Wearing her new dress Anna felt both emboldened and homesick. “... Every time I missed my family ... I would make some kind of food that reminded me of them. When I [ate] the food that I used to share with them it made me feel like I was still part of it all.”⁷⁸⁶ That day she was craving borscht — an archetypical Russian Mennonite soup — but she did not have the ingredients so instead made zwiebach. These are buns that have a small round ball sitting on top of a larger round base. One could not eat more stereotypically Russian Mennonite food than borscht or zwiebach.

In the midst of baking her zwiebach, Anna’s neighbour and friend George stopped in for a visit. When she opened the door he gave her an odd look but did not say anything. Anna realized this was the first time he had seen her in anything other than plain dress, and invited him in while explaining about her shopping trip. Sitting at her table, while Anna moved around her

⁷⁸⁴ Personal conversation with Anna Wall, Waterloo, ON, June 23, 2017.

⁷⁸⁵ Personal conversation with Anna Wall, Waterloo, ON, June 23, 2017.

⁷⁸⁶ Personal conversation with Anna Wall, Elmira, ON, August 16, 2017.

kitchen, George seemed to have trouble looking at her and refused to make eye contact. Finally he told Anna that before she went out he thought she should know that her new dress was in fact a nightgown. And a rather sexually provocative one at that.

Twenty years later, and with a striking sense of style, Anna uses this story to demonstrate how “clueless” she was as a new arrival in mainstream Canadian society. I would argue this story reveals something else. Clothing is critical and formative to our sense of self, and is the physical embodiment of our social location and identity. Although it may seem otherwise because we have been surrounded by it since birth, the meaning of what clothes, in and of themselves, are and say to others is neither obvious nor universal. We ascribe meaning to dress. Therefore, when people come to Canada from different cultures with different understandings of what clothes “mean,” they bring diverse readings of what clothes communicate.

If you run into Anna today you are most likely to find her in a long flowing bright skirt, a fitted top, her red hair wrapped in a large top bun, bold eye makeup, statement earrings and turquoise jewellery. If you are familiar with the Mennonite “look” then you can see it in her features, but otherwise you would never guess her background. Yet it is there, and she communicates it through her more mainstream choices. Though she does wear pants, she is most comfortable in skirts. The bold ones she chooses are far from the Old Colony plain dress, but the length is a nod to that cut, and her overall presentation — especially the bold skirts and turquoise jewellery — are reminiscent of her birth country. She has created a style that reflects her person: a fusion of Mexican, Canadian, and Mennonite.

Findings

This dissertation demonstrates that there are limits to religious freedom, which is well established, and that those limits are in fact negotiated over time. They are not “set in stone,” nor is there an abstract means of determining them. As Canadian society progresses, it defines and then redefines these limits. Religious minority groups are the most likely to challenge society’s boundaries simply because they are not part of the mainstream (which exists well within those borders). Residing at the edge of social norms they are more likely to push the limits of the boundaries. For example, while Christians, Jews, and Indigenous people have long used family arbitration services, when a Muslim group in Ontario started such services it became a public controversy.⁷⁸⁷ A Muslim immigrant is more likely to push new boundaries because “it” (whatever “it” may be) is more likely to be something “we have not done before.” Tracing the arc of this study we can see the ways the human rights and accommodation narratives have changed. These case studies provide examples of concrete and specific changes to the limits of accommodation that occur when minorities challenge the mainstream.

The Mennonite case examines how this group used the prayer bonnet as a means to express membership in and conformity to their church. The bonnet served to maintain boundaries and gender norms while simultaneously communicating non-conformity to the larger society. The prayer bonnet reinforced cultural and religious systems in order to communicate Mennonites’ separateness from the world around them, demonstrating how some minority groups actively seek for other Canadians to see them as “different.” The male church leadership used women’s bodies as the site of their non-conformist identity, while the women used the dispute to

⁷⁸⁷ For more on this case, see Anna C. Korteweg and Jennifer Selby, eds. *Debating Sharia: Islam, Gender Politics, and Family Law Arbitration*. (Toronto: University of Toronto Press, 2012).

define for themselves fidelity to their faith (though they would not have viewed it in this way).⁷⁸⁸ Since the exercise of the group rights depends on clear membership within that group, strong identity markers and boundaries, such as the bonnet, took on great significance for the community at a time when it felt under assault. This case provides an important foregrounding for the next two cases which come after Canada adopted a culture of individual human rights, multiculturalism, and secularism. It reveals how much human rights discourse shifted over the course of a century from the British- Common-Law approach to a liberal democratic declaration of individual rights.

Seventy years after the bonnet controversy, many Canadians reacted swiftly to Baltej Singh Dhillon's desire to serve as a Mountie in a turban — a visual embodiment of an outsider donning the uniform of a revered insider. Canadians had now consciously reimagined themselves as a multicultural nation, but Dhillon's case reveals that popular opinion was far from fully ready to embrace this policy. He was, however, able to communicate to the government that his turban visually represented the mostly dearly held values of the Canadian narrative of good citizenship, an investment in a just society, and multicultural inclusivism. The government perceived, considered, and finally approved his message. This story reveals a great deal about many Canadians' attachment to a venerated item of dress. While some consider strictly adhering to a revered manner of dress a practice of religiously conservative immigrant minorities, when the Mountie uniform was modified with an overtly religious (non-Western) item many Canadians considered it irreverent and offensive.

Zunera Ishaq's case examines the ways niqab-wearing women in Canada embody specific messages about women, ethnicity, and Islam. In addition to stereotypical ideas about Islam and

⁷⁸⁸ Epp, "The 'Dress Question' Among Ontario Mennonites"

Muslim women, there are messages of empowerment, liberation from the male gaze, tolerance for others, and personified religious belief in situated bodily dress practice from the women themselves. Ishaq attempted to publicly communicate some of these messages, and while she was successful in court and earned the right to wear her niqab during her citizenship oath, she was unsuccessful in delivering this message to the Conservative government and many Canadians. Their own understandings of the niqab drowned out Ishaq's meanings.⁷⁸⁹ When the federal government refused to hear Ishaq's message, it took another branch of government, the federal court, to enact change.

Despite many Canadians' commitment to a diversity model, visible religion in the public sphere – particularly when it comes in the form of dark fabric swathed over a Muslim woman's body – continues to be perceived by many as dangerous. Whether the objections are concerns about social behavioural norms or Muslim women's agentic capacities, they are clearly rooted more in a visceral mistrust of overt Islam, and a disproportionate focus on women's embodied religious practices, than in real ethical concern. It then becomes the responsibility of those concerned with gender equality to "save" the Muslim woman from her supposed maltreatment. In this scenario, the veil is seen as the barrier between the woman's imprisonment in archaic Islamic rituals and liberation through more progressive "Western" practices. However, such stereotypes miss the many varied experiences of Muslim women in Canada (and presuppose a difference and division between "Islam" and "the West"). These women's own narratives

⁷⁸⁹ Entwistle, *Fashion and the Fleshy Body*, 328.

invalidate the rigid boundaries of subordination and victimhood constructed around their dress.⁷⁹⁰

In this dissertation I argue that identity, whether personal or national, is not static and is a continually evolving site of creation and creativity built on shared understandings and symbols. While there are groups and nations (and indeed individuals) that shape their identity around entrenched and supposedly unmovable tenets, even these shift (albeit slowly), as with the case of the Mennonite bonnet. Many Canadians have something of an identity crisis, with journalists, scholars, politicians, and pundits regularly asking what it means to be Canadian. In 1972, revered Canadian broadcaster Peter Gzowski hosted a CBC radio show called *This Country in the Morning*. As part of the “never-ending search for Canadian identity” Gzowski held a contest to find a Canadian simile on par with, “As American as apple pie.”⁷⁹¹ Hundreds of people submitted answers, and along with the predictable “as Canadian as maple syrup” or “as Canadian as hockey” the infamous winning answer was, “as Canadian as possible under the circumstances.”⁷⁹²

Lacking a deeply ingrained sense of self, many Canadians are particularly (and unconsciously) attached to their symbols of identity since they are in such short supply, such as the Mountie Stetson. When women joined the RCMP, despite the ways their presence undeniably disrupted national narratives around gender and police presence, they did not trigger the same national division because protectionist sensibilities read their presentation as

⁷⁹⁰ For more on this, see Saima S. Hussain, *The Muslimah Who Fell to Earth: Personal Stories by Canadian Muslim Women* (Toronto: Mawenzi House Publ., 2016) including Zunera Ishaq’s chapter, *My Journey With the Niqab*.

⁷⁹¹ Preston Manning, “Being as Canadian as possible, under the circumstances,” *The Globe and Mail* (Toronto, ON), September 1, 2007, <https://www.theglobeandmail.com/opinion/being-as-canadian-as-possible-under-the-circumstances/article725129/>.

⁷⁹² John Bowman, “Fill in the Blank: As Canadian as _____” *CBC News: Your Community Blog*, July 7, 2013, <http://www.cbc.ca/newsblogs/yourcommunity/2013/06/as-canadian-as.html>.

aesthetically familiar. Likewise, while many Canadians may have disrespected female police officers as insignificant side stories to the “real” narrative, they did not experience their presence as threatening. This reveals more about how the larger society viewed women and racial minorities than it does about what supposed demands came from new Canadians, revealing how the Stetson was valued for its representation of deeply cherished Canadian ideals and narratives of the rugged frontier of a settler nation, idealized concepts of masculinity as the protector watching over Canadians, service to others with little thought of personal reward, and something that is truly “ours” in a nation where such emblems are limited.

When an individual breeches social boundaries of dress they reveal these precepts in the process of breaking them.⁷⁹³ When women joined the force they revealed and challenged the gender norms on which this Canadian ideal was built. Likewise, when Dhillon requested to wear a turban instead of the Stetson he challenged and revealed the ethnic boundaries of what dress was socially acceptable. Despite fierce opposition from some, Dhillon’s request was rather simply accepted by RCMP Commissioner Pierre Cadieux. He had successfully communicated his message to those in power at a time when the RCMP was already intending to alter their approaches and policies to make the organization more acceptable and appealing to a more diverse population. When Dhillon received permission to wear a uniform issued turban as a Mountie, his success in renegotiating standards of masculinity made him an active agent of change.

Likewise, as discussed above, when Ishaq took the federal government to court the case revealed the ways niqabi woman in Canada embody a complex host of meanings, both internally generated and externally imposed. However, former inscriptions onto the meaning of the niqab

⁷⁹³ See Entwistle, “Fashion and the Fleshy Body.”

were so deeply entrenched in other contexts that some individuals were unable to bridge that understanding with Ishaq's stated and embodied practice. Her story became a very public example of how societies draw the lines of social location on a woman's body. If, as Joanne Entwistle argues, dress boundaries reflect the anxieties of a society, nowhere are these fears more evident than in this case.⁷⁹⁴ Her case also demonstrates, however, how the same woman's body can be a site of agency rather than a passive receptacle of social inscription as she sought to define herself as a Canadian on her own terms.⁷⁹⁵

The Mennonite women, without wishing to overhaul their community, actively worked to modify it while their bodies acted as their church's markers to outsiders of their separateness. Unlike Dhillon or Ishaq, the Mennonites were not trying to convince mainstream society that they "fit in." Rather, they were seeking to prove that they were different. Mennonites were German and non-violent in the midst of a world war (similar to how Dhillon was Sikh in the wake of the Air India bombing, and Ishaq was Muslim in the midst of a "war on terrorism"). Non-conformity and separation from the world were central tenets of Mennonite theology, and their dress identified them as "other." The church leadership's insistence on the bonnet had implicit patriarchal control, using women's bodies as the site for nonconformity to the world. While these Mennonite women lived in a deeply patriarchal structure, their resistance to change their embodied practice in order to be acceptable for the male leadership demonstrated their subtle power.

Unlike Dhillon and Ishaq's cases, the public was completely unconcerned with Mennonite bonnets, and their dress did not directly provoke wider public debate. While different, their dressed bodies were similar enough to dominant Canadian social boundaries to avoid

⁷⁹⁴ See Entwistle, "Fashion and the Fleshy Body."

⁷⁹⁵ Reilly Schmidt, "Women in Red Serge," 14.

censure. The public was, however, very concerned with their identity as pacifist Germans, which was *embodied* in their distinctive dress. At a time when the federal government attempted to navigate religious minority accommodation by extending rights to groups (such as the right of the Catholic Church to separate schools or First Nations to land claims), and when rights were rooted in the British Common Law tradition of precedence and tradition, whether or not an individual was a member of the Mennonite church became an urgent matter determining whether they could personally exercise the group right of draft exemption.

Despite their status as a “white” group, public hostilities grew to a complete Mennonite immigration ban from 1919 to 1922, at which point the Swiss Mennonites in the Kitchener case had been settled in the area for a century, and were considered peculiar but not immigrants (despite their intention to remain apart). In their times, Ishaq and Dhillon belonged to religious minorities regularly referred to as “New Canadians,” despite both groups residing in Canada for many generations, and actively working to conform to social constructs of being “Canadian.” This demonstrates, in part, the complex interplay of social locations and determinations of insiders, outsider, and others.

Dress embodies these concepts and provides both points of communication and revelation. A bonnet acts as an opportunity for women to assert their power to interpret sacred text and ritual practice within a closed and patriarchal community. A turban uncovers dominant secular Canadian devoted allegiance to a uniform, and the gendered and racial undertones to this faithfulness. And a niqab reveals the holes in public protestations over women’s rights and threats to public safety. A gendered narrative thread passes through all of these cases, conveying the scripts to which individuals are expected to play (entrenched in the gendered nature of dress itself), and the social discomfort when they challenge these.

Dress mediates between the inner self and the surrounding society, such as with the search for boundaries within and between Mennonites and the outside community.⁷⁹⁶ It establishes identities in a world where these can be uncertain, and is the symbol through which we understand others in everyday life, however inconclusive and subjective these interpretations may be.⁷⁹⁷ These case studies demonstrate the ways dress and the body are entangled in power relationships, and how people use dress to locate themselves within a social world. Lifestyle, social location, and conventions all influence how individuals view themselves and others. This simultaneous internal and external creative tension results in dynamic expressions of dress performance.⁷⁹⁸ Individuals who challenge social boundaries through dress will experience the censure of the dominant culture. At the same time, breaking these codes of conduct draws attention to these often invisible or unstated protocols. Religious minorities frequently draw attention to these conventions in the act of breaking them, such as those surrounding women and modesty.

Majority Canadian society generally pays attention to how much flesh one may appropriately expose in a given situation, particularly for women, but this includes a “modesty double standard” that reinforces hierarchies of status, ethnicity, and gender.⁷⁹⁹ It censures bodies that do not conform to cultural conventions of how much flesh one must show, and it therefore becomes “necessary” to manage dress through social regulation and moral pronouncements. The

⁷⁹⁶ Tranberg and Madison, eds. *African Dress*, 2.

⁷⁹⁷ Entwistle, 337.

⁷⁹⁸ Tranberg and Madison, eds. *African Dress*, 1.

⁷⁹⁹ Lewis, ed. *Modest Fashion: Styling Bodies, Mediating Faith*, (London: I.B. Tauris, 2013), 10.

dressed body then functions symbolically to articulate the values and anxieties of dominant Canadian culture.⁸⁰⁰

As a result, each of these case studies demonstrate how dress has strong social and moral dimensions that inspire and constrain the clothing choices people make.⁸⁰¹ Dress choice then becomes a complicated matter. Elizabeth Wilson critiques the very concept of choice around women's dress practices — particularly regarding hijabis — arguing that “choice” is a foundational myth of consumer culture, affecting everyone regardless of their individual convictions.⁸⁰² It then becomes essential to investigate the structural constraints of social location and gender that function as parameters around dress decisions.⁸⁰³ Therefore, while dress is socially located, individuals are also active in their engagement with it. While dress choice is always defined within a particular context, we adapt it to our lived experiences. The complex interactions of these various experiences and locations enable individuals to create and adapt to particular circumstances. Therefore, dress is neither solely the outcome of oppressive external forces nor individual agency.

Despite a common narrative that religious adherence – particularly to an insular or conservative tradition – inhibits the advancement of human rights, the religious beliefs of each of the individuals in these case studies were central to their fight. The Mennonite women were not rejecting their church's understanding of women's roles, dress, or communion. Instead, they were holding the church to its own practical theology. Dhillon was committed to the faith of his father, and was not willing to sacrifice that in order to gain broader social acceptance. However, he also had faith in the RCMP and Canadian society to live up to its stated ideals. His desire to

⁸⁰⁰ Entwistle, 327.

⁸⁰¹ Entwistle, “Fashion and the Fleshy Body.” 338.

⁸⁰² Wilson in Lewis, ed. *Modest Fashion*, 9.

⁸⁰³ Entwistle, “Fashion and the Fleshy Body.” 341.

be an officer grew directly from his Sikh understanding of service to his community. His identity as a Sikh melded with his identity as a Canadian and in the process he became a national icon. Ishaq wore a niqab out of a deep personal conviction, and as a new Canadian chose to put her faith in the country's judicial system and its laws of religious freedom.

While the belief may not always reflect current practice, most Canadians generally agree that human rights in a free and open society are core Canadian values. These examples demonstrate that it is often the religious minorities themselves who hold other Canadians to their own principles, often pushing and advancing rights for all rather than threatening them. Minorities hold a mirror to the larger society and force other Canadians to examine their own presuppositions and practices. This dissertation is the first time theories of embodied dress are put in conversation with human rights theory and religion to examine Canadian experiences with multiculturalism in order to see this mirror.

Significance, Limitations, and Further Study

Canadians encounter diversity on a daily basis. Most of these experiences are non-events.⁸⁰⁴ Our different beliefs can lead to dissimilar priorities for governing our lives, and some of these contrasts are irreconcilable. Therefore, some common commitment and understanding is necessary for Canadian society to function and thrive, but this must be a narrative that allows for such diversity (and sameness). As cliché as it may seem, Beaman successfully demonstrates that what unites us truly is deeper than what divides us.⁸⁰⁵ In other words, to some degree, we are all

⁸⁰⁴ Lori Beaman, *Deep Equality in an Era of Religious Diversity* (Oxford: Oxford University Press, 2017), 3.

⁸⁰⁵ See Beaman's discussion on how "naiveté" is used as a charge to dismiss the power of non-divisive approaches to deep equality in Beaman, *Deep Equality in an Era of Religious Diversity*, 185-189.

“us.” As I have argued it is the differences that shape the borders of identity. By international cultural and legal standards Canada is one of the world’s most open and accepting societies.⁸⁰⁶ Yet there is a significant disparity between that romantic ideal through which many Canadians can see themselves (including minorities, such as Raheel Raza), and the reality of numerous minorities’ lived experiences.

These three case studies of headcovering debates involving religious minorities in Canada over the course of a century provide windows through which we can examine questions of identity, gender, agency, accommodation, religious practice in public, social location, and dressed bodies. This dissertation considers the discursive interactions of clothes, colonialism, human rights, and religion, bringing together a diverse and seemingly disparate collection of theories and methods from several disciplines. Throughout this dissertation we have frequently discussed embodiment, and this project is itself the embodiment of the hybridization of the religious studies discipline. Bringing together human rights theory, dress theory, and intercultural material culture studies, I encourage religious studies scholars to make better use of these methods and theories long employed in disciplines like anthropology and history. As I explained in Chapter Two, the “intellectual promiscuity” of this dissertation is a reflection of the very diverse Canada it studies and critiques.⁸⁰⁷ Bringing these diverse theories together allows me to demonstrate how religious dress, and the religious minority communities they represent, belies theories that overt religious practice is in decline in this country, and that those who “cling” to these parochial ways are inherently incompatible with Canadian ideals.

⁸⁰⁶ Mary Anne Waldron, *Free to Believe: Rethinking Freedom of Conscience and Religion in Canada* (Toronto, ON: University of Toronto Press, 2013) 235-236.

⁸⁰⁷ Butler, *Gender Trouble*, x.

This dissertation breaks new ground in putting these theories in conversation with each other, particularly in the Canadian context. Religious dress remains a small subfield of the material culture's subgenre dress studies, and none of these scholars cited in this dissertation are religious studies scholars. They all hold PhDs in disciplines such as sociology, anthropology, design, apparel, cultural studies, etc. In fact, I have yet to encounter a dress scholar trained in religious studies. When I first attended the Textile Society of America biennial symposium, Dr. Christina Lindholm, preeminent textile scholar and Dean at Virginia Commonwealth told me that the five of us standing together were the only ones "really doing" Muslim dress in North America. I was the only one there with training in religious studies. While there are currently many works on Muslim veiling, very few of these are written by dress scholars.⁸⁰⁸ Given the understanding that religious studies gives scholars into how religion operates in people's lives, and given the understanding dress scholarship brings to how religious dress is a situated bodily practice, the marrying of the two is a long overdue pairing.

This dissertation would fill a void and break new ground simply by combining dress theory and religious scholarship on these topics. However, my initial training is in the history of human rights, and I did not feel it was possible to sufficiently understand these case studies and their contexts without applying the human rights approach with a thorough grounding in human rights theory. Once again, human rights scholarship has limited understanding of the work that religious studies does (and at times can see religion as a problem, when it sees it at all), and even less of dress theory. I am used to knitted brows when I tell scholars at human rights conferences that I study human rights and dress. The two do not immediately come to mind as obvious bedfellows. Yet it is not difficult to explain why the niqab is a matter of human rights case law,

⁸⁰⁸ With the notable exceptions of Christina Lindholm, Faegheh Shirazi, and Heather Akou.

and it is a short step from there to understanding how studying the veil, as situated and embodied religious practice, benefits from dress, human rights, and religious studies theory.

In this same way, while these are the theories with which I am most familiar, I do not doubt that this study would benefit from other theories and disciplines of which I am ignorant. While, at this time, I am confident in my conclusions, I do not doubt that reexamining my arguments at another time, with different expertise, or from different paradigms would yield different results. This study relies on gazing through time and across cultures. While this distance can provide clarity, it can also result in obfuscation. Likewise, in combining disparate theories it is unlikely that each is applied as thoroughly as it would be given the whole dissertation to itself. The discipline of history teaches us that we bring different questions to the same topic at different times. What questions will scholars bring to these cases fifty years from now? Religious studies regularly grapples with “insider/outsider” scholarship questions. Being part of the Mennonite community provided me with invaluable conversations and insights into that case study. What different conclusions would an “outsider” draw? What did I not see? What could I see that they could not? How would being a Muslim, or a Sikh, or a man, or a visible minority have affected what I understood or concluded in Dhillon’s and Ishaq’s case? Similarly, I was born and raised in Canada, and am too young to recall the Dhillon case. A Mountie in a turban is a given for me and my generation. How might I approach these issues differently if I was from a different generation, or was myself new to Canada?

I am also well aware that these are contentious issues and many would argue with the idea that women have not yet achieved equity, or that minorities should not simply assimilate. Many feminists and Muslims believe that the niqab cannot be conflated with headcoverings and fall outside the realm of religious protections. Some still feel that Dhillon’s turban was not a

matter of race but of the necessity for a police force to be uniform. Others, including other scholars, believe that religion should not be a protected area of human rights law at all and that it is time to accept a fully secular public sphere. On these pages I have laid out my responses to these arguments, but I do not expect them to convince everyone.

Part of these questions depend on further research. There are nearly limitless possibilities for further exploration into the themes of this dissertation, and each of these themes have sub-themes, and so on and so forth. Furthermore, this is not a static field. The matters of immigration, multiculturalism, religion in public, and accommodation are constantly shifting and transforming. Writing on immigrant religious dress in the current political climate it was often necessary to turn off all news sources so I could submit a chapter without having to modify it yet further with a new development. In October, 2017, Quebec passed Bill 62 banning face coverings when accessing public services, including city buses.⁸⁰⁹ American debates and policies around minorities seem to change weekly over the past year, as the timbre of discourse generally continues to decline. At the time of writing, Americans are debating whether President Donald Trump referred to “sh—hole countries” in a meeting on immigration reform, as reported by Democratic Senator Dick Durbin. Whether he did or not, this is the current climate on immigration issues.

In other words, the field is propitious for further study. A significant study of opinions and practices of North American niqabi women themselves is, for example, one of the most obvious and pressing areas for further study. While many individuals are commenting on the

⁸⁰⁹ Judge Babak Barin struck down a key provision of the law in December, 2017, until the provincial government can provide clear guidelines under which a person can apply for religious accommodation. At the time of writing there are no further developments. Kevin Browne, “Judge suspends part of Quebec’s face-covering ban,” in *The Guardian*, December 1, 2017. <https://www.theguardian.com/world/2017/dec/02/judge-suspends-part-of-quebecs-face-covering-ban>

niqab, it is crucial that scholars collect concrete numbers on niqabis in North America, and present the views of these women themselves. Or, likewise, expanding this study to include other items of dress, or place it within the North American context (perhaps comparing and contrasting American and Canadian case studies and law). This would demonstrate that these are far from limited examples and are rather part of a much larger phenomenon. There are also many other topics that fall under the religious studies umbrella that would benefit from a dress theory analysis – and the particular insights dress study provides – such as new religious movements’ dress practices, school uniforms, or the priest’s collar in contemporary society. Furthermore, there are striking similarities in the parallels between the experiences of the women in the Mennonite and Muslim cases. A closer look at these corresponding experiences will show that the tension between internal and external debates over how a group’s women present themselves, particularly while occupying a position of public scrutiny, is not limited to Islam but that many religious minority communities face these issues.

Social psychologist Daniel Effron pioneered the study of “moral licensing,” the idea that sometimes past good deeds allow individuals to feel free to engage in immoral or unethical behaviours that they would otherwise avoid for fear of feeling or appearing unethical. In other words, when we do something we deem good we then give ourselves permission to do something we deem bad.⁸¹⁰ In future study it would be interesting to apply this theory to these matters of religious minority accommodation. His research provides interesting questions for our examination of Canadian identity and the experiences of religious minorities. As individuals and as a society we have the potential to use these cases to prove how progressive we are, and then comfortably go back to the way it has always been. People can see a few high profile cases of

⁸¹⁰ Daniel Effron, et al. *Moral Self-Licensing*.

religious accommodation, conclude that Canada is going “too far” in acquiescing to minorities, and push for retrenchment.

Likewise, Lori Beaman’s newest book *Deep Equality in an Era of Religious Diversity* takes issue with a general emphasis on difference, providing another important angle from which to analyze these cases. While not seeking to water down groups and individuals to some imagined lowest common denominator of “the same,” she argues that focusing on how the ways diverse people interact in uneventful everyday circumstances demonstrates the sameness that exists between them. She believes that this produces a “... potential to create an alternative imaginary: from one of difference and diversity as ‘challenging’ and something to be ‘managed,’ to a framework of negotiation of difference, often through an emphasis on similarity ... that models deep equality.”⁸¹¹ This is in sharp contrast to, “us” tolerating or accommodating “them,” and ultimately preserving religious and cultural majority hegemonies.⁸¹²

This dissertation should initiate conversation and debate about the space between rhetoric and reality regarding religious minorities, human rights, and a “religiously neutral” Canada. It is not just about Mennonites, Sikhs, or Muslims, but rather these cases act as a reflection of the variance within Canadian values and attitudes. They act as a site for the convergence of discourses around gender equity, freedom of religious practice, and Canadian identity(ies). These cases challenge the Canadian narrative of religious neutrality and a common presumption of irreconcilable difference between human rights and overt displays of religion in public spaces. Religious minorities are an integral part of Canadian society, and have been throughout the country’s history. Far from threatening Canadians’ public commitment to human

⁸¹¹ Beaman, *Deep Equality*, 8.

⁸¹² See Introduction in Lori Beaman, *Deep Equality*.

rights and equity, it is often religious minority Canadians that repeatedly prompt other citizens to live up to their own stated ideals, advancing human rights for all Canadians in the process.

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