

## Face to Face

ROBERT LECKEY\*

Leckey, R., 2013. Face to Face. *Oñati Socio-Legal Series* [online], 3 (7), 1184-1201.  
Available from: <http://ssrn.com/abstract=2356851>



### Abstract

This paper uses Queer theory, specifically literature on *Bowers v. Hardwick*, to analyze debates over legislation proposed in Quebec regarding covered faces. Queer theory sheds light on legal responses to the veil. Parliamentary debates in Quebec reconstitute the polity, notably as secular and united. The paper highlights the contradictory and unstable character of four binaries: legislative text versus social practice, act versus status, majority versus minority, and knowable versus unknowable. As with contradictory propositions about homosexuality, contradiction does not undermine discourse but makes it stronger and more agile.

### Key words

Law; Queer Theory; Muslim women; Head covering; Niqab; Veil; Quebec; Secularism; Europe

### Resumen

Este artículo utiliza la teoría Queer, más concretamente la literatura sobre *Bowers vs. Hardwick*, para analizar los debates sobre la legislación propuesta en Quebec en relación al velo. La teoría Queer arroja luz sobre las respuestas legales al velo. Los debates parlamentarios en Quebec reconstituyen la forma de gobierno, especialmente como secular y unido. El documento pone de relieve el carácter contradictorio e inestable de cuatro binarios: texto legislativo frente a las prácticas sociales; legislación frente a estado; mayoría versus minoría; y conocible frente a incognoscible. Al igual que con las proposiciones contradictorias acerca de la homosexualidad, la contradicción no socava el discurso, sino que lo hace más fuerte y más ágil.

---

Article resulting from the paper presented at the workshop '*Illegal*' *Covering: Comparative Perspectives on Legal and Social Discourses on Religious Diversity*, held in the International Institute for the Sociology of Law, Oñati, Spain, 17-18 May 2012, and coordinated by Valérie Amiraux (Université de Montréal) and Pascale Fournier (University of Ottawa).

This research was supported by the Social Sciences and Humanities Research Council. I acknowledge the excellent research assistance provided by Priyanka Timblo and Justina Di Fazio's help collecting additional sources. For written comments on drafts, I am grateful to Valérie Amiraux, Jérémy Boulanger-Bonnely, Angela Campbell, Pascale Cornut St-Pierre, Pascale Fournier, Jodi Lazare, and Priyanka Timblo, and to the participants at the *Illegal* Covering workshop held at Oñati in May 2012.

\* Associate Professor and William Dawson Scholar, Faculty of Law and Paul-André Crépeau Centre for Private and Comparative Law, McGill University. McGill University, 845 Sherbrooke Street West, Montreal, Quebec, Canada H3A 0G4. [robert.leckey@mcgill.ca](mailto:robert.leckey@mcgill.ca)



**Palabras clave**

Ley; teoría Queer; mujeres musulmanas; cubrirse la cabeza; Niqab; velo; Quebec; secularismo; Europa

**Table of contents**

|  |      |
|--|------|
| 1. Introduction.....                           | 1187 |
| 2. Setting the stage.....                      | 1187 |
| 3. Reconstituting the nation as secular .....  | 1189 |
| 4. Binary 1: legislated text versus life ..... | 1191 |
| 5. Binary 2: conduct versus status.....        | 1192 |
| 6. Binary 3: knowable versus unknowable.....   | 1193 |
| 7. Binary 4: majority versus minority .....    | 1194 |
| 8. The triangle of multiculturalism.....       | 1197 |
| 9. Conclusion.....                             | 1198 |
| Bibliography .....                             | 1199 |

## 1. Introduction

This paper contributes to the interdisciplinary exploration of bans on women's head coverings by drawing on queer approaches. It analyzes the parliamentary debates on a bill proposed by the Government of Quebec, ostensibly a response to the social problem of covered faces in the delivery of government services. Although difficulties engendered by the regulatory enterprise undertaken in Quebec may emerge, the paper does not foreground an argument for or against. Instead, by bringing queer theory to bear on Quebec's veiling debates, it will show the instability and contradictions of their underlying categories of conduct and status and of majority and minority. As with contradictory propositions about homosexuality, however, contradiction does not undermine discourse. Instead it makes it stronger and more agile. The paper ultimately serves as a reminder that regulatory interventions to address the conduct of a religious minority may be analyzed as occasions on which the minority and the so-called majority reciprocally redefine and reconstitute themselves.

The first part of the paper connects the question of veiling with selected resources of queer theory and provides a nutshell account of the proposed legislation and debates in Quebec. The second part analyzes ways in which the debate reconstitutes the nation as secular and united. The subsequent parts draw on queer literature on sodomy laws in order to highlight the contradictory and unstable character of four binaries arising from the Quebec debates: legislative text versus social practice, conduct versus status, majority versus minority, and knowable versus unknowable. Hypotheses about the debates are explored in connection with each binary. Moving beyond queer theory's binaries, the seventh part argues that the debate in Quebec is rightly viewed as a triangle involving not only the majority and the multicultural, migrant minority, but also neighboring jurisdictions.

## 2. Setting the stage

Why connect legal regulation of the veil and queer theory? Both acceptance of gay rights and the baring of women's faces have been coded as indices of modern liberal civilization. The upshot is metrics on which the west performs highly and some eastern countries fail (see e.g. Puar 2007). Conversely, the requirement that women cover their faces and the homophobic regime of the closet manifest a similar spatial logic. Each involves the construction of a threat and the exclusion from open participation in society of those who embody it, respectively women and homosexuals. An obvious difference is that the closet functions exclusively in the service of heterosexual domination, while the veil may operate in the political causes of male dominance, feminism, or—oddly enough—both. Ironically, bans on face coverings may also function as the closet. Forcing women to unveil denies 'public indices of an Islamic presence'; on a pessimistic reading, requiring women to unveil—far from being liberatory—exposes them so as to silence and subordinate them within a 'capitalist spatial logic ... predicated on the ubiquity of the sexualised female form' (Abraham 2007, p. 2-3). Pressures for women to uncover their faces might also be viewed as a pressure to 'cover' in the sense of 'ton[ing] down a disfavored identity to fit into the mainstream' (Yoshino 2006, ix).

If the systems repressing homosexuals and Muslim women show similarities, alertness to the risks of analogy is nevertheless appropriate. One is falsely to separate groups by implicitly denying overlap. Comparing gays to blacks thus bolsters the presumed whiteness of homosexuality and the presumed straightness of blacks (Halley 2000). But of course there are gay, lesbian, and bisexual Muslims, as testifies a 'recent flowering of research' (Rahman 2010, p. 949). This paper does not claim, then, that Muslim women who cover their faces 'are like' members of sexual minorities (Jakobsen 2003). Instead, it studies the discourse of the privileged majority, via parliamentary speeches.

On a general level, it aims to follow queer theory's 'substantive critique of identity' and its style as critique (Ford 2011, p. 128). More specifically, after Sedgwick, it asks 'how certain categorizations work, what enactments they are performing and what relations they are creating' (2008, p. 27). Queer theory will not substantiate the claim that the 'majority' discriminates against the 'minority' via regulation of the veil, as if those two categories were pre-existing givens (liberalism might do that). Rather, as will be shown, queer theory offers a rich reminder that both the so-called minority and majority are constituted in relation to one another. Instead of being an independent variable, the 'preference' or 'choice' to wear the veil is shaped by interactions and regulation.

Recent queer interventions amount to a bracingly unruly set of inquiries and critiques. Queer theorists have challenged the boundaries between the human and the non-human (Giffney and Hird 2008). Drawing on literary texts, they have compiled queer archives of affects such as optimism (Snediker 2009) and melancholy (Love 2007). In an explicitly political register, queer writers have excoriated the liberal gay-and-lesbian rights movement for seeking inclusion in institutions such as marriage and the military (see e.g. Conrad 2011). This paper draws primarily, however, on an earlier queer literature that analyzed homophobic legal texts. It takes up American discussions of *Bowers v Hardwick*, 478 US 186 (1986), the US Supreme Court's judgment upholding prohibitions on sodomy. Summarizing texts the pleasure and force of which lies in their close readings is unavoidably reductive. Nonetheless, it is helpful to expose upfront that the queer insights relevant to this paper bear on the slipperiness of regulatory distinctions between conduct and status or identity; the way in which the majority constitutes its position of privilege and its identity through its definition of a minority; and the problems of knowledge about individuals' experiences and the institutional power to know others.

Turning to the paper's key example, the legislation proposed in Quebec is An Act to establish guidelines governing accommodation requests within the Administration and certain institutions (Bill 94, Quebec National Assembly Bill (39th Legislature, 2nd Session) 94). Unlike laws in other states, such as Belgium's ban on the burqa, the proposed bill in Quebec is not, in strict legal terms, a prohibition aimed at individuals who would cover their faces. Instead, it is instruction directed at public officials who receive a request for an accommodation (an individualized exception from the application of a general norm on the basis of a protected fundamental right or freedom). Clause 4 of the bill states that any accommodation must comply with the province's Charter of Human Rights and Freedoms. In particular, accommodation must accord with 'the right to gender equality and the principle of religious neutrality of the State whereby the State shows neither favour nor disfavor towards any particular religion or belief'. The core of the bill is clause 6, which asserts 'a general practice' by which persons providing or receiving governmental services 'show their face'. When warranted by 'reasons of security, communication or identification', an accommodation adapting that practice must be refused.

Preliminarily, ideas from the queer theory of interest to this paper may be connected to the example of veiling as follows. Like sex and heterosexuality, the categories in which Bill 94 deals are 'not *natural* categories, but *political* ones' (Butler 1999, p. 161). In addition, like the sodomy statutes, Bill 94 can be read as increasing the risks of surveillance and other harms to which some people are subject 'while ... simultaneously provid[ing] for certain other people spaces of relative immunity' (Halley 1993b, p. 1722). The paper will explore below who benefits from such immunity, attending to significant discursive slippage.

Two cautionary notes are in order. First, the contention is not that the debates in Quebec are comparably odious to the majority reasons in *Bowers*. Unlike sodomy statutes, and unlike prohibitions on full veiling in Belgium and France, Bill 94

threatens nobody with incarceration. Moreover, the appropriate policy towards the veil divides interested groups such as women, Muslims, Muslim women, and Muslim feminists. By contrast, however passionate the queer opposition to gay marriage, nobody advances an anti-homophobic case for sodomy laws. Second, this paper should not be taken to imply that categorization practices concerning the veil matter to women who cover their faces more than do material conditions such as poverty and unemployment (although separating them may be unwarranted). Assessment of any regulatory proposal requires a distributive analysis of the expected impact on the targeted group's access to resources and opportunities for that group's social participation (some would say integration). These caveats having been made, the paper turns to the nation-building dimension of Quebec's debate on veiling.

### 3. Reconstituting the nation as secular

To some degree, all legislation reshapes and reconstitutes the polity. Bill 94 is thus not unique, although its implicit divisions within the population make it ripe for analysis. This part is informed by the queer insight that 'legal definitions of the class of homosexuals persistently involve equally decisive, but far less visible, practices of constituting a class of heterosexuals' (Halley 1993a, p. 83). For example, in a case in which a high school guidance counselor is fired for disclosing her sexual identity, the town 'emerges from the ... controversy *heterosexual*' (Halley 1993a, p. 85). Prior to the controversy, many individuals in the town would presumably have regarded themselves as heterosexual, although it is a major insight of the history of homosexuality that they would not have done so had they predated the medico-discursive construction of homosexuality. But an effect of prohibitory or regulatory efforts is to construct the identity of the collectivity by constituting a majority class.

Recent interventions by queer-of-color scholars would suggest further that such efforts shore up a conception of the nation as white, Christian, and heterosexual. At the limit, the nation includes those 'good' gay men and lesbians who otherwise conform to national and capitalist imperatives (see e.g. Puar 2007, Haritaworn 2010). Moreover, the governance of migrants and that of sexuality merge within a larger project of national politics, at times cracking down on Muslim immigrants as particularly homophobic (e.g. Bilge 2012, Petzen 2012, Surkis 2010, Guénif-Souilamas 2005, but compare Zanghellini 2012). If reactions to the veil disclose the 'central role that niqab-wearing women play in delineating how we define ourselves' (Bakht 2012, 90), in what self-constitutive process are Quebec's lawmakers involved?

The debates on Bill 94 reconstitute Quebec as secular. While there is agreement at a high level, the contest between 'open' and 'closed' conceptions of secularism reveals dispute over the meaning to give state neutrality in religious matters. In presenting Bill 94, its sponsoring minister, Kathleen Weil, situated the bill 'in continuity with the history of Quebec, a history of open secularism' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8920).<sup>1</sup> Quebec society, she affirmed, has chosen an 'open secularism' which accepts that individuals may exercise their constitutional right to freedom of religion while performing public functions neutrally and impartially. Neutrality is required of state institutions, not of individuals who work in them. Minister Weil's 'open secularism' differs from a 'closed secularism', which 'would dissociate Quebec from four hundred years of its history' (ibid 8921). For their part, the official Opposition, the Parti québécois, favoured adopting a harder-edged secularism. Their 'closed' secularism would involve a Charter of Secularism and a ban on the wearing of 'conspicuous' religious symbols by state employees (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8946 (Louise Beaudoin); the Parti québécois formed a minority

<sup>1</sup> All quotations from the legislative debates are author's translations.

government in September 2012 on a platform including such a charter and by fall 2013 had circulated plans for to introduce an instrument renamed the 'Charter of Quebec Values').

This rebaptism of Quebec as secular is problematic. Conceptually, the 'secular' may be tenuous, as 'religious traditions run throughout the modern secular West' (Rahman 2010, 955). Indeed, the distinction between the sacred and the profane has been called 'a conceptual mess compiled on contradictions' (Motha 2007, p. 158). Despite the narrative often told, secularism is not 'in fact, universal and fully separate from Christianity' (Jakobsen and Pellegrini 2008, p. 3). For that matter, any illusion that Quebec can boast 'a history of open secularism' is readily dispelled. The province's history, over a good part of the past four hundred years, is one of the Roman Catholic Church's domination (Ferretti 1999). Into the second half of the twentieth century, the church monopolized the delivery of health services and education. It was only in 1997 that a constitutional amendment led to the organization of the province's public schools by language, French and English, as opposed to by denomination, Roman Catholic and Protestant (Brun *et al.* 2008, p. 548-52). Thus the minister and others are less tethering debates on Bill 94 to a long history of secularism than constituting one.

Beyond its ostensible secularity, the discourse on Bill 94 delineates the nation's contours. Early in the debate, Minister Weil stated: 'We are proudly affirming some of the values which unite us and we are doing so with the conviction that diversity is and must remain a source of richness for Quebec' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8920). While respecting fundamental rights, the government was establishing guidelines 'in order for everyone to live together in Quebec, to preserve social cohesion' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8920 (Kathleen Weil)). Those statements reinforce a particularly constituted collectivity. Significantly, the repeated 'we' shifts from smaller to larger meanings. The 'we' who proudly affirm certain values may refer to the government or the members of the governing party. But the 'we' who are united by those values is larger, a communitarian, national 'we' (see also Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8930 (Carole Poirier) ('It isn't in our morals, it isn't in our customs, and it isn't our way of doing things in Quebec')). Consider the implications of this sense of the collectivity: if 'we' are united by the values embodied by Bill 94, then anyone who is not so affected is not one of 'us'. If the aim of the bill is to establish guidelines for preserving 'social cohesion', anyone who opposes the initiative is figured as causing or exacerbating division. The boundary drawing—a line with, unavoidably, an inside and an outside—continues when the minister justifies the bill on the basis of common sense (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8920 (Kathleen Weil)). Invocations of common sense may be 'called upon and used as a conceptual tool in the creation of communities out of strangers' (Rosenfeld 2011, 237). Discerning consensus where disagreement persists has the effect, once again, of ruling views which differ out of order.

The general notion that common sense is culturally embedded leads to mention of one reason that face-to-face encounters might appear so natural and essential. On one genealogy, the emphasis on being face to face derives from the Christian scripture. The famous hymn to Christian charity in the First Letter to the Corinthians includes one of the New Testament's best-known lines: 'For now we see through a glass, darkly, but then face to face: now I know in part; but then shall I know even as also I am known' (1 Corinthians 13:12 (KJV)). Biblical scholars have had much to say about that verse. What matters for present purposes is neither the quality of the 'glass' or mirrors manufactured in Corinth, nor the allusion to Moses' seeing the Lord face to face (see e.g. Keener 2005, 110, Montague 2011, 232-233). What is crucial is the verse's epistemological resonance that '[f]ace-to-face understanding outshines any other way of seeking to know' (Thiselton 2006, 232 [original emphasis omitted]), providing 'complete mutuality of knowledge' (Barrett

1968, 307). The suggestion is not that legislative drafters consulted the epistles of St Paul. Without any effort on their part, his words would have permeated their consciousness. Yet whatever the bill's cultural origins, it is worth considering how it might play out if enacted.

#### 4. Binary 1: legislated text versus life

Critical analysis of sodomy laws counsels alertness to the ways in which the impact of legal interventions may exceed a statute's remit. Sodomy laws operated beyond their purview, authorizing public and private violence. Although rarely enforced, the threat of their enforcement hung over those whom they targeted. So long as sodomy laws remained on the books, the criminal status attributed to gay men and lesbians affected other areas of law, such as family law (e.g. custody disputes involving a parent who had come out of the closet) and employment. Thomas reads sodomy statutes as 'the site of a 'constellation' of practices', capturing these laws' 'essential inseparability' from the methods—'public or private, official or unofficial, sanctioned or unsanctioned, act-based or identity-based, instrumental or symbolic'—of exerting social control over those subjected to them (1992, 1440-41). Similarly, Sedgwick characterized the connection between judicial and extrajudicial punishment of homosexuality as one of 'endemic intimacy' (2008, 18). What reflections might these insights generate for face covering in Quebec?

- Hypothesis 1: Bill 94 is gentler than a ban because it allows accommodation of covered faces in some circumstances.
- Hypothesis 1': Since statutes aimed at a despised or feared minority group stimulate on-the-ground effects from harassment to violence that exceed the legislated text, Bill 94's text will not limit its negative effects.

If passed, the bill will presumably give rise to judicial interpretation. Public officers will thus eventually obtain authoritative guidance as to the breadth or narrowness of 'security, communication or identification', the grounds listed for refusing to accommodate a covered face. A judge might conclude that communication would only rarely preclude accommodating a covered face. She might observe that people whose faces are uncovered are often not identified, that people may be identified without uncovering their face, and that communication may occur while a face is covered. Such a judge might insist that an official, refusing accommodation, must convincingly prove the impediment to communication.

By contrast, judges might interpret communication, to focus on one of the three grounds, in culturally specific ways so as to privilege face-to-face contact as a matter of course. The minister presented the bill as announcing that in Quebec, uncovered faces while services are being given and received 'is that which allows us to communicate with one another' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8922 (Kathleen Weil)). Emphasizing uncovered faces in this way hints at a low threshold for triggering the 'communication' basis for refusing derogation from the general practice. Such a romantic focus on face-to-face interaction between citizens and their public servants squares poorly with the experience of many people—veiled or unveiled—trawling through endless government Web pages or navigating labyrinthine automated systems via their touchtone phone.

Perhaps, though, the focus on the authoritative judicial interpretation of the legislation misunderstands its foreseeable effects on the ground. A law-and-economics literature could supplement the queer analysis of sodomy legislation. According to that literature, legislation may perform an educational and aspirational function, affecting how individuals orient their behaviour (see e.g. McAdams 2000). Does Bill 94 telegraph the positive message to accommodate covered faces wherever possible? Or might it signal something more repressive, beyond its letter and the extensive list of governmental institutions to which it applies? Debates in



the media, including call-in radio and online comments, indicate that far more people know about the bill than have attended to its subtlety as not banning face covering, but as guiding the grant of accommodation. The ostensible reasonableness of Bill 94 might be more comforting to lawyerly readers, then, than to Muslim women. If a statute addressing Muslim women who cover their faces is taken as signaling broader legislative disapproval, such legal measures may connect to 'the more nebulous unofficial repression of nonstate actors, such as the abuse and intimidation' to which women in hijab are subject (Abraham 2007, 3). In its expressive function, the law might stimulate unofficial modes of governance and regulation, tacitly authorizing harassment and discrimination. Such a law may best be viewed not semantically, but semiotically. Beyond delineation of the messages that Bill 94 might send is the question as to what precisely it targets.

## 5. Binary 2: conduct versus status

American sodomy laws did not criminalize a homosexual orientation or identity, but acts. In their operation, 'facially neutral sodomy statutes make complex and unstable reference to erotic acts *and* to the public identities of persons' (Halley 1993b, p. 1733, see also Halley 1999, p. 28). Thus the facially neutral sodomy statute at issue in *Bowers v Hardwick*—on any plain reading, a ban of acts performed by individuals whether of the same sex or different sexes—was read as directed only at homosexuals.

- Hypothesis 2: Bill 94 targets the conduct of covering the face, not any group or status.
- Hypothesis 2': Bill 94 targets Muslim women.

Like the sodomy statutes, Bill 94 refers to conduct, not identity or status. It mentions not Muslim women, but the 'general practice' of having an uncovered face. The literal preoccupation is the conduct of having a covered face insofar as it might affect security, communication, or identification in the delivery of government services. As if the statute distributes effects evenly across the population, without regard to sex or religion, Minister Weil refers generically to 'persons' needing to uncover their faces (Quebec National Assembly Deb 10 February 2011, vol 41, no 170, 8997 (Kathleen Weil)).

Beyond that, the hypothesis that the bill targets conduct unmoored to any status or group identity soon founders. Moving from the general to the specific, the minister invokes the integration of immigrants (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8937 (Kathleen Weil)). The extension of the debate, by members of the Opposition, to multiculturalism and the inclusion of minorities within Quebec society further acknowledges that Bill 94 engages not conduct, but groups (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8946 (Louise Beaudoin)). Some interlocutors admitted that the bill is all about Muslim women who cover their faces and that it might, for that reason, discriminate doubly against Muslim women (*ibid*). Another Opposition member notes that it is only women who wear a veil or niqab and that only one religion, Islam, has retained the practice (Quebec National Assembly Deb 10 February 2011, vol 41, no 170, 8977 (Benoît Charette)). A larger anxiety is detectable in clause 4 of the bill, which specifies that any accommodation granted must accord with the Charter of Human Rights and Freedoms, including the equality of the sexes. Clause 4 indicates that the covered face is not an isolated act which might impede service delivery. It seems, rather, to represent a larger propensity that threatens gender equality. Being veiled signals the probability of being a woman who does not properly value her equality vis-à-vis men.

If covering the face is a mere act not bound up in identity, then it can be set aside with relatively little cost in the circumstances where one of the statutorily authorized reasons so requires. On that reading, Bill 94 may induce a few Muslim

women to uncover their faces in the limited (but significant) circumstances in which they interact with public officials. On another reading, if face covering connects to identity, in ways that individuals cannot lightly set aside, the effect of the bill may be 'to exclude certain people from social and political life' (Bakht 2012, p. 71), by deterring some Muslim women from accessing public services. Significantly, the chosen regulatory intervention makes no effort to sanction the men who, on one theory of the drafters, impose face covering on women. The instability of the bill's positioning vis-à-vis conduct and status leads to another binary, one related to epistemology.

### 6. Binary 3: knowable versus unknowable

Epistemology figures prominently within queer theory. Sedgwick (2008, p. 4) refers to knowledge not as power, but as power's 'magnetic field'. In Halley's (1993a, 88) analysis of post-*Bowers* cases, a key element in the homophobic legal apparatus is the majority's epistemological privilege. Institutional decision makers wield the 'epistemological authority' to know and designate who is in the minority class. By spotlighting the constructedness and instability of categories, a queer analytic may undermine the confidence that an outside observer can read the 'truth' about matters of identity or about relations of sex and power (see e.g. Halley 2006, p. 290-303, p. 348-363). Queer theory would suggest skepticism about the extent to which visible evidence leads transparently to knowledge and to which the signification of veiling can be known.

- Hypothesis 3: Face covering means only one thing and we know what that is.
- Hypothesis 3': Face covering may mean more than one thing and we may not know what it means.

Contradictory theories about the legibility of the veil course through the legislative debate on Bill 94. Hypothesis 3—straightforward, untroubled by epistemological modesty or doubt—is exemplified by the speech of Monique Richard. In voicing support for a ban of all 'conspicuous' religious symbols in civic space, she indicates unwavering confidence in her hermeneutic capacity: religious signs 'unambiguously express religious belonging' (Quebec National Assembly Deb 10 February 2011, vol 41, no 170, 8986 (Monique Richard)). She says too that 'it is impossible to deny that certain religious signs represent an endorsement of the rejection of equality between men and women' (ibid). These statements could be studied in the light of external evidence showing that women understand and recur to religious symbols in multiple ways (on family law, see Fournier 2012). But here it suffices to hold Richard's insistence against contradictory statements in the debate.

Consider Louise Beaudoin's posture. There is similar language of transparency or of the obvious. She acknowledges that women who wear the niqab and the burqa do so 'in the name of freedom of religion, obviously'. But she also observes that 'some of these women' only claim that they are following a religious precept. A gap thus opens between speech about the veil—an assertion of meaning—and its 'true' meaning. Moreover, she acknowledges her lack of expertise on the subject. In addition, there were contradictory views on the matter in the parliamentary commission: a number of interveners had said that the religious basis for wearing the niqab and the burqa was 'false, that it frankly wasn't a precept' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8924 (Louise Beaudoin)). Beaudoin also contemplates an alternative signification of the veil, if obliquely. Her discussion of women's false consciousness—lawmakers must grant women equality whether they want it or not, as when some women opposed women's suffrage—frames the wearing of the veil as a symbol of patriarchal oppression (ibid). Acknowledgement of conflicting claims—a religious precept prescribes wearing the veil; no religious precept prescribes wearing the veil—precludes her from adopting Richard's view that religious signs 'unambiguously' express religious belonging.

Despite their disagreement on substance, both Richard and Beaudoin orbit around Hypothesis 3. Beaudoin remains closer to Hypothesis 3—face covering means only one thing—than to Hypothesis 3'. Her lexicon of falseness and conflicts presupposes that a practice must have only one signification. Hypothesis 3, analogous to the anti-gay regimes which vested authorities with the power to identify homosexuals, assumes that some people know what the veil means; other people are, accordingly, known.

Hypothesis 3', that face covering may simultaneously have multiple meanings, emerges in remarks by Carole Poirier. She points to the veil's historical and sociological complexity (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8949 (Carole Poirier)). Poirier reads excerpts from a newspaper story which reports that the veil predated Islam and that its prevalence in Iran followed the arrival of the Ayatollah Khomeyni. The full veil is not only a religious gesture, she reports, but also a political one (ibid 8948-9). Epistemologically, it is not only that there are conflicting claims as to the veil's true meaning. Rather, it may simultaneously mean different things to a woman wearing it (Abu-Odeh 1993, on strategic uses of dressing in general, see Kennedy 1992).

In addition, queer theory's rejection of fixed identities—including any transhistorical gay identity—prompts recognition that desires and conduct are not variables independent of the social conditions (including ones of repression) in which they arise. The phenomenon observable in the diaspora by which repression or other regulatory modes intensify and transform the perceived need to wear the veil testifies that the regulators are not external to the practice they are regulating. A practice's significance may react and change constantly, ensuring that knowledge with certainty is impossible.

Strikingly, none of the contradictory claims turns out to be good news for women who cover their faces. Hypothesis 3, by which face covering is univocally, irreducibly, and undoubtedly a sign of religious excess, points to its contagious character and imposition onto others as unwanted speech. Face covering is then excessively, dangerously, invasively religious. Hypothesis 3', by which face covering may mean more than one thing, and indeed may not be authentically religious, undercuts the freedom-of-religion claim. But defusing the characterization of the claim as religious fails to open greater freedom for the practice. Lest it be hoped that flagging categories' inconsistency undermines their force, 'definitional incoherence is the very mechanism of material dominance' (Halley 1993a, p. 98). The instability of conceptual relations between majority and minority categories does not weaken them. Instead, it makes them '*peculiarly* densely charged with lasting potentials for powerful manipulation—through precisely the mechanisms of self-contradictory definition' (Sedgwick 2008, p. 10). It is germane that the messages deployed about Muslim women wearing the niqab are 'entirely contradictory': women and girls need to be protected from the oppressive practice of veiling; children, in turn, 'need protection from these intimidating women who proselytize using their veils' (Bakht 2012, p. 84). Like polygamous woman in a recent Canadian judgment (Reference re: Criminal Code of Canada (B.C.) 2011 BCSC 1588), the veiled woman is both threat and threatened. Contradictions, it seems, do not much matter. That the veil is simultaneously a threatening matter of concern to everyone and a discrete practice confined within a tiny group evokes a final strand from queer theory.

## 7. Binary 4: majority versus minority

Sedgwick identified contrasting approaches to homosexuality. The *universalizing* view regards homosexuality as 'an issue of continuing, determinative importance in the lives of people across the spectrum of sexualities' (Sedgwick 2008, p. 1). It aligns with the sense that differences across that spectrum may be contingent and constructed. People may move across the threshold between heterosexual and

homosexual, indeed have some choice about where to locate themselves. There is consequently a risk of influence or contagion: heterosexuality is fragile and always under threat. On the *minoritizing* view, the homo/heterosexual definition is 'an issue of active importance for a small, distinct, relatively fixed homosexuality minority' (Sedgwick 2008, 1). In the context of veiling and potentially illegal coverings, the question is whether the impulse associated with covering (whatever its motivations) is a contagious one, to be confined before it infects others, or one within a bounded subset of the population.

Another theoretical resource relates to the productiveness of legal interventions. Inspired by Foucault, Butler states that 'repression may be understood to produce the object that it comes to deny' (1999, p. 119). Prohibitions also produce a default category of persons outside their reach, 'a highly unstable, default characterization for people who have not marked themselves or been marked by others as homosexual'; such people benefit from being 'covered by a mantle of privacy and silence' (Halley 1993a, p. 83, p. 90). These observations lead to hypotheses at the heart of Quebec's debates.

- Hypothesis 4: The salient contrast lies narrowly between moderate religious observance and religious excess.
- Hypothesis 4': Those whose religiosity is excessive are outsiders.
- Hypothesis 4'': The salient contrast is between secularism or neutrality and religion.
- Hypothesis 4''': Christianity might be neutral, but other religions, notably Islam, are not.

On Hypothesis 4, the bill distinguishes excessively from moderately religious Muslim women (see generally Beaman 2008, chapter 3). The contrast between moderate religious observance and religious excess is detectable in the focus on the conduct targeted by the legislation—face covering where reasons of security, communication, or identification are engaged. Moderately religious people do not cover their face. Their habits will never stand in the way of security, communication, or identification. But excessively religious people—cast here by the minoritizing approach—do. To the extent that citizens and officials focus on the bill's attention to the showing of a face, the legislation might exonerate and normalize the practices it does not address, such as covering with a headscarf. But if the bill signals disapproval of Muslims more broadly, then it grants them (and people thought to be Muslims) no immunity, whatever their degree of observance.

The contrast between moderate and excessive religiosity aligns with a contrast between Quebecers, already inside the polity, and those who, newly arrived, are still seen as outside. Ministerial remarks implicitly frame excessive religiosity as a problem that outsiders pose to Quebec society. The minister associates Bill 94 with the importance of integrating the thousands of persons who come 'from overseas and elsewhere'. She casts the point positively, reporting her sense that 'they want to integrate. And they say to us: Give us the tools' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8937 (Kathleen Weil)). Unfortunately, in debate on a bill addressing uncovered faces, the implication is that the only people who cover their faces are immigrants who are not yet integrated and who resist integration. Only someone who is not yet inside or vested with membership rights needs integration (or accommodation or toleration) (see e.g. Beaman 2011). Ruled off the table is the possibility that covering the face might be the practice of functioning members of Quebec society.

Might the competing models of open and closed secularism map, respectively, onto Hypothesis 4 (moderate versus excessive religiosity) and Hypothesis 4'' (secularism/neutrality versus religion)? While it might be thought that neutrality arises from reason and religiosity from passion or emotion, one member of the legislative assembly characterized state neutrality as 'something visceral' (Quebec

National Assembly Deb 10 February 2011, vol 41, no 170, 8994 (Agnès Maltais)). On scrutiny, the relationships between categories turn out to be blurry. Statements made in support of both conceptions of secularism slither into Hypothesis 4'' by carving a special place for Christianity and determining in advance the prevailing interpretation of vestimentary conduct by Muslim women.

Despite their differences, Minister Weil and Louise Beaudoin of the Parti québécois agree on the unobjectionableness of the cross as a religious symbol. Minister Weil's open secularism would pose no impediment to those 'who would wish, for example, to wear a little cross at the neck' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8921 (Kathleen Weil)). State employees would thus keep their constitutional right to freedom of religion 'to the extent that they continue to perform their functions in a neutral and impartial manner, without proselytizing' (ibid). The cross as a sign of Christian adherence—the fish does not figure in Quebec's debates—is thus assimilated with neutrality, impartiality, and abstention from proselytizing. For her part, Beaudoin would preclude public servants from wearing 'conspicuous religious signs', but not, she hastens to specify, 'the little cross, I want to say, that one wears discreetly' (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8946 (Louise Beaudoin)). She affirms that public employees must abstain 'from speech that is in any way religious. Because we know that wearing religious signs, that says something, it's symbolic' (ibid). She draws out symbols' importance: 'It's a language that is nonverbal. So, you must refrain, when you are employed by the State, from such speech, because the user of public services shouldn't have to be subjected, when he frequents institutions that are by definition neutral ...' (ibid). The mere wearing of religious symbols—the 'little cross' at the neck having been bracketed as neutral—may thus amount to discourse to which users of public services would be involuntarily submitted.

Much of the concern in the debates is adverbial: it concerns how people wear religious symbols. Acting discreetly and proselytizing might plausibly be modes of conduct over which individuals exert some control. Accordingly, wearing a religious symbol 'discreetly' might be a context-specific, subjective performance option. Instead, the debates purport to invest the cross durably with the attributes of privacy and discretion and to code the veil as proselytizing. Concern about proselytizing draws on the ideas associated with universalism, namely that anyone is vulnerable to infection and that what marks the minority is contagious and must be contained. Crucially, the anxiety about the proselytizing discourse imposed by conspicuous religious garb attaches to public servants, viz. to women in paid, often unionized, work, not to women cloistered at home. One might conjecture that the non-verbal discourse to be imposed on hapless users of public services would include the reconcilability of religious observance with active participation in an open society. But the debates register no such view.

Several factors deepen the appreciation of Christianity's privileges and the 'thinness of the veneer of secularism' (Beaman 2012, p. 73). The National Assembly had earlier voted unanimously to retain the crucifix above the Speaker's chair, on the basis of its significance as 'religious and historic heritage' (Quebec National Assembly Deb 22 May 2008, vol 40, no 87, 840 [official translation]). In doing so, the members repudiated a recommendation in the report freshly submitted by a government commission. The legislative assembly had also unanimously approved a motion 'unreservedly' supporting a ban against wearing the kirpan during the consultations on Bill 94 (Quebec National Assembly Deb 9 February 2011, vol 41, n 170, 8947). At such moments, no acknowledgement is made that the 'little cross' around the neck of even a fervent Christian is likely not a compromise or moderation of religious requirements undertaken for the good of social cohesion. To the contrary, it likely executes any felt religious obligation to show a Christian symbol.

Last, Christianity's invisibility and construction as compatible with neutrality is especially remarkable since the minister admits that the majority of requests to the human rights agency for religious accommodation come from Christians (Quebec National Assembly Deb 10 February 2011, vol 41, no 170, 8997 (Kathleen Weil)). For example, although considerations of sex equality animate a rule of public order by which spouses keep their respective names on marriage, a Christian fundamentalist has secured a religiously justified exception from it (*Gabriel c Directeur de l'état civil*, [2005] RJQ 470 (Sup Ct)). The wife viewed 'bearing the same surname as her husband' as 'essential in order to live out and propagate the religious message of family unity' and had cited Ephesians 5:21-33, reproduced in the judgment, on wives' being 'subject ... in everything, to their husbands' (ibid [16] [17]). This case, which passes unmentioned in the debates, might raise doubts about the appropriateness of singling out face covering as the practice necessitating the stipulation that any accommodation must accord with the right to gender equality. This point drops through the debate unnoticed, failing to perturb the production of Christianity as non-threatening and the association of the problem of reasonable accommodation with outsiders in need of integration.

Compared with, say, Muslim women, Christians enjoy a majoritarian privilege that allows them to shift from one privileged category to another. They may be observant while being favourably associated with neutrality and moderation. It is as if those in the debate are predisposed to resist—indeed, incredulous before—the notion that Christians might threaten a civic space's neutrality and impartiality. Recall Halley's analysis of the high threshold of tolerance in the US army for same-sex acts in cases where those in power are persuaded of the soldier's fundamental heterosexuality. Where one enjoys the right identity, forms of conduct condemned in others escape sanction (Halley 1999, 47). Beyond that partiality, the regulation of the veil highlights the limits of the binaries dissected within queer theory.

## 8. The triangle of multiculturalism

However insightful queer theory's resources for deconstructing the binaries in the debates, Quebec's discourse gestures towards a potential limit. The debates around the veil represent at least a ménage-à-trois. In this respect, the sexual anxiety which underscores the sodomy laws might not transpose to the veil. While all 'heterosexuals' may fear being gay or finding themselves too far along the gay-straight continuum, the Christian/Muslim continuum involves actors other than the 'secular state' and the veiled Muslim subject. Where multiculturalism is raised, '[t]he nation is also imagined in juxtaposition with other nations and ideologies' (Beaman 2012, p. 98).

While the debates in the National Assembly revealed concern with the imposition of the precepts of veiling, Bill 94 did not embody the fear that Quebecers generally would become Muslim or more religious. Arguably, the primary fear was that they might follow the example set by their neighbours in the other Canadian provinces, especially Ontario, 'the fine land of multiculturalism' (Quebec National Assembly Deb 10 February 2011, vol 41, no 170, 8994 (Agnès Maltais)). Those provinces represent not the religious other, but a multiculturalist governing order. The minister of justice noted that those outside Quebec might not understand the bill's approach to multiculturalism (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8936 (Kathleen Weil)). Speakers in the opposition benches were clearer, both that debate over Bill 94 bore on multiculturalism (Quebec National Assembly Deb 9 February 2011, vol 41, no 170, 8946 (Louise Beaudoin) ('the heart of this debate is thus the multiculturalism question') and on that ideology's risks to Quebec via dilution of the view of the French and the English as Canada's two founding peoples (ibid 8932). The question of multiculturalism, it was said, 'goes to the heart of the values essential to Quebec and to Canada, which are in this respect distinct and different' (ibid 8926). Multiculturalism was thought to fragment societies, returning everyone to his or her 'community of origin' (ibid). By contrast,

the approach cast as more in line with Quebec values has privileged secularism and 'interculturalism' (Bouchard 2011), and at times it echoes the French conception of *laïcité* (see the RELIGARE Project in Europe: [www.religareproject.eu/](http://www.religareproject.eu/)). Tension between approaches to religious difference has also played out in the courts, where the Supreme Court of Canada has, in a series of cases, overturned the Quebec Court of Appeal in favour of calls for affirming religious difference (Grammond 2009).

The suggestion here is that a queer focus on deconstructing binaries may not make room for a power relation involving multiple players. The authoritative discourse in Quebec is both about the religious subject (Muslim woman/Jewish man/Sikh boy/Jewish woman) and about the legitimacy of Quebec's approach to governing religious difference vis-à-vis the approach favored in the other jurisdictions of Canada. The triangular alignment makes it difficult to nail down the discourse and it was not, at least at first instance, queer resources that brought it into view. While space constraints prevent further consideration, queer theory—including the contributions studying texts other than legal ones—might offer illuminating interpretations of the complex relations entangling multiculturalism.

One further potential limit of queer theory's analytic purchase in this context calls for mention. In its drive to undo identity categories, the queer project is often deliberately deconstructive and anti-normative. If positive content fails to stay out of sight—much queer writing cannot forgo notions such as pleasure and consent—the queer theorists considered here did not set out to discharge the government's burden of holding a community together. The question, then, is the boundaries of the legitimate scope for lawmakers to legislate with an aim of affirming community values and protecting that collectivity from perceived threats. One reason that the question remained absent in the American queer theory on the sodomy statutes is that, on many reasonable conceptions, no possible payoffs in terms of community building could justify persecuting homosexuals. But on some views, the community-affirming impulses detectable in Bill 94 are less easily dismissed, making it appropriate to delimit that legitimate scope.

## 9. Conclusion

In the light of queer analysis, the Quebec debates on face covering might reveal lesser disdain for the concerned groups than is evident in *Bowers*. Justice White in that judgment famously dismissed the claim that homosexuals had a right to engage 'in such conduct' as 'facetious' (*Bowers v Hardwick*, 478 US 186, 194 (1986)), a word choice which for many gay or anti-homophobic readers 'pullulate[d] with peculiar density' (Sedgwick 2008, p. 6 [footnote omitted]). Quebec's debates may not display stark contempt for Muslim women. Still, some readers might condemn as willful blindness—if not animus towards other religions—the unexamined acceptance of emblems of Christianity as part of a cultural heritage entirely proper to a neutral civic space.

It is to be hoped that this paper's study using resources from queer theory has deepened understanding of Quebec's debates on the veil. Anxieties around the nation and preservation of its culture, including the Christian dimensions, emerged plainly. The paper has also drawn out from queer theory a set of research questions salient to debates elsewhere, and on other issues where the religious other finds him- or herself in the majority's crosshairs, regarding national reconstitution, legislated text versus social practice, conduct versus status, the limits of the knowable, and the slipperiness of delineating majority from minority. These are not, of course, the only questions that might emerge from engaging with queer theory. Further paths would include deeper engagement with work by queers of color and elaboration on the erotics of religious dress. Moreover, recognition of queer theory's limits, in the paper's final part, serves as a reminder to look beyond binaries to the participants whom debates name obliquely or leave unnamed.

## Bibliography

- Abraham, I., 2007. The veil and the closet: Islam and the production of queer space. In: *Queer Space: Centres and Peripheries*. University of Technology Sydney (UTS), Australia, February 20-21, pp. 1-6. Available from: [http://www.academia.edu/4922258/Abraham\\_I.\\_2007\\_The\\_Veil\\_and\\_the\\_Closet\\_Islam\\_and\\_the\\_Production\\_of\\_Queer\\_Space.\\_Queer\\_Space\\_Centres\\_and\\_Peripheries\\_University\\_of\\_Technology\\_Sydney](http://www.academia.edu/4922258/Abraham_I._2007_The_Veil_and_the_Closet_Islam_and_the_Production_of_Queer_Space._Queer_Space_Centres_and_Peripheries_University_of_Technology_Sydney) [Accessed 2 November 2013].
- Abu-Odeh, L., 1993. Post-colonial feminism and the veil: thinking the difference. *Feminist Review*, 43 (1), 26-37.
- Bakht, N., 2012. Veiled objections: Facing public oppositions to the niqab. In: L.G. Beaman, ed. *Reasonable accommodation: managing religious diversity*. Vancouver: UBC Press, 70-108.
- Barrett, C.K., 1968. *A commentary on the First Epistle to the Corinthians*. London: Adam & Charles Black.
- Beaman, L.G., 2008. *Defining harm: religious freedom and the limits of the law*. Vancouver: UBC Press.
- Beaman, L.G., 2011. 'It was all slightly unreal': What's wrong with tolerance and accommodation in the adjudication of religious freedom? *Canadian Journal of Women and the Law*, 23 (2), 442-463.
- Beaman, L.G., 2012. Battles over symbols: The 'religion' of the minority versus the 'culture' of the majority. *Journal of Law & Religion*, 28 (1), 67-104.
- Bilge, S., 2012. Mapping Québécois sexual nationalism in times of 'crisis' of reasonable accommodations. *Journal of Intercultural Studies*, 33 (3), 303-318.
- Bouchard, G., 2011. What is interculturalism? *McGill Law Journal*, 56 (2), 435-468.
- Brun, H., Tremblay, G. and Brouillet, E., 2008. *Droit constitutionnel*. 5<sup>th</sup> ed. Cowansville, Quebec: Yvon Blais.
- Butler, J., 1999. *Gender trouble: feminism and the subversion of identity*. Revised ed. New York: Routledge.
- Conrad, R., ed., 2011. *Against equality: don't ask to fight their wars*. Oakland: Against Equality Press.
- Ferretti, L., 1999. *Brève histoire de l'Église catholique au Québec*. Montreal: Boréal.
- Ford, R.T., 2011. What's queer about race? In: J. Halley and A. Parker, eds. *After Sex? On Writing since Queer Theory*. Durham, NC: Duke University Press, 121-129.
- Fournier, P., 2012. Calculating claims: Jewish and Muslim women navigating religion, economics and law in Canada. *International Journal of Law in Context*, 8 (1), 47-72.
- Giffney, N., and M.J. Hird, eds., 2008. *Queering the non/human*. Aldershot, UK: Ashgate.
- Grammond, S., 2009. Conceptions canadienne et québécoise des droits fondamentaux et de la religion: convergence ou conflit? *Revue Juridique Thémis*, 43 (1), 83-108.
- Guénif-Souilamas, N., 2005. En un combat douteux: Concurrence pour la conformation sexuée des Français d'ascendance migrante et coloniale. *Revue Européenne des Migrations Internationales*, 21 (2), 91-110.
- Halley, J.E., 1993a. The construction of heterosexuality. In: M. Warner, ed. *Fear of a queer planet: queer politics and social theory*. Minneapolis: University of Minnesota Press, 82-102.



- Halley, J.E., 1993b. Reasoning about sodomy: Act and identity in and after Bowers v. Hardwick. *Virginia Law Review*, 79 (7), 1721-1780.
- Halley, J.E., 1999. *Don't: a reader's guide to the military's anti-gay policy*. Durham, NC: Duke University Press.
- Halley, J.E., 2000. Like race' arguments. In: J. Butler, J. Guillory and K. Thomas, eds. *What's left of theory?: New Work on the politics of literary theory*. New York: Routledge, 40-74.
- Halley, J., 2006. *Split decisions: how and why to take a break from feminism*. Princeton University Press.
- Haritaworn, J., 2010. Queer injuries: The racial politics of 'homophobic hate crime' in Germany. *Social Justice*, 37 (1), 69-87.
- Jakobsen, J.R., 2003. Queers are like Jews, aren't they? Analogy and alliance politics. In: D. Boyarin, D. Itzkovitz and A. Pellegrini, eds. *Queer Theory and the Jewish Question*. New York: Columbia University Press, 64-89.
- Jakobsen, J.R., and Pellegrini, A., 2008. Introduction: Times like these. In: J.R. Jakobsen and A. Pellegrini, eds. *Secularisms*. Durham, NC: Duke University Press, 1-35.
- Keener, C.S., 2005. *1-2 Corinthians*. Cambridge University Press.
- Kennedy, D., 1992. Sexual abuse, sexy dressing and the eroticization of domination. *New England Law Review*, 26 (4), 1309-1394.
- Love, H., 2007. *Feeling backward: loss and the politics of queer history*. Cambridge, Mass.: Harvard University Press.
- McAdams, R.H., 2000. An attitudinal theory of expressive law. *Oregon Law Review*, 79 (2), 339-390.
- Montague, G.T., 2011. *First Corinthians*. Grand Rapids, Mich: Baker Academic.
- Motha, S., 2007. Veiled women and the affect of religion in democracy. *Journal of Law and Society*, 34 (1), 139-162.
- Petzen, J., 2012. Contesting Europe: A call for an anti-modern sexual politics. *European Journal of Women's Studies*, 19 (1), 97-114.
- Puar, J.K., 2007. *Terrorist Assemblages: Homonationalism in Queer Times*. Durham: Duke University Press.
- Rahman, M., 2010. Queer as intersectionality: Theorizing gay Muslim identities. *Sociology*, 44 (5), 944-961.
- Rosenfeld, S., 2011. *Common Sense: A Political History*. Cambridge, Mass: Harvard University Press.
- Sedgwick, E.K., 2008. *Epistemology of the Closet*. Revised ed. Berkeley: University of California Press.
- Snediker, M.D., 2009. *Queer Optimism: Lyric Personhood and Other Felicitous Persuasions*. Minneapolis: University of Minnesota Press.
- Surkis, J., 2010. Hymenal politics: Marriage, secularism, and French sovereignty. *Public Culture*, 22 (3), 531-556.
- Thiselton, A.C., 2006. *First Corinthians: A Shorter Exegetical and Pastoral Commentary*. Grand Rapids, Mich: William B. Eerdmans Publishing Company.
- Thomas, K., 1992. Beyond the privacy principle. *Columbia Law Review*, 92 (6), 1431-1516.

Yoshino, K., 2006. *Covering: The Hidden Assault on Our Civil Rights*. New York: Random House.

Zanghellini, A., 2012. Are gay rights Islamophobic? A critique of some uses of the concept of homonationalism in activism and academia. *Social & Legal Studies* 21 (3), 357-374.