

Canadian court rules in favor of woman wearing niqab in citizenship ritual

by [Ron Csilag](#) in the [November 11, 2015](#) issue

A Canadian court has cleared the way for a Muslim woman to wear her face veil, or niqab, while taking the oath of citizenship.

The Federal Court of Appeal in October refused to suspend its previous ruling that the government may not bar Zunera Ishaq from covering her face when becoming a Canadian citizen.

The judge said she found that the government had not demonstrated that refusing the stay “would result in irreparable harm to the public interest.”

The ruling is the third legal defeat for Canada’s Conservative government on the niqab, which was a hot-button issue in the October 19 federal election.

In his campaign, Prime Minister Stephen Harper supported the niqab ban. The issue whipped up much debate about identity politics and the targeting of Muslims. Harper lost to the candidate of the Liberal Party of Canada, Justin Trudeau.

Ottawa’s policy dates to 2011, when then-immigration minister Jason Kenney announced a ban on face coverings during citizenship ceremonies to ensure that new citizens were reciting the oath and because saying the oath is a “quintessentially public act.” But documents have shown that Kenney proceeded with the ban despite advice from his own department that religious beliefs should be accommodated in cases where “no security reasons exist.”

Ishaq challenged the policy, and in February the Federal Court ruled that the ban was unlawful because it conflicts with regulations in the Citizenship Act that stress respect for religion.

The court also pointed out that any changes to the oath ceremony must be approved by the cabinet. Ottawa appealed.

In September, the appeals court upheld the earlier ruling and issued its decision promptly, saying it wanted Ishaq to obtain citizenship in time to vote.

The government then appealed to the Supreme Court of Canada and meantime asked for a stay of the ruling, which was denied.

Ishaq, 29, came to Canada from Pakistan in 2008 and has worn a niqab since she was 15. She refused to take part in a 2011 citizenship ceremony because she would have to show her face.

“I am pleased that the courts have reaffirmed my right to citizenship and to vote,” Ishaq said in a statement. The issue “has nothing to do with identity and everything to do with my right—and the right of all Canadians—to think, believe, and dress without government interference.” —Religion News Service

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