

## 63 per cent oppose faith-based arbitration poll

The Ottawa Citizen (31.10.2005) / HRWF Int. (08.11.2005) - Website: <http://www.hrwf.net> - Email: [info@hrwf.net](mailto:info@hrwf.net) - A new survey suggests Ontario Premier Dalton McGuinty was in sync with public sentiment across the country when he ended all religious arbitration instead of singling out the Muslim community and barring Shariah law to settle family disputes.

Sixty-three per cent of Canadians oppose giving any religious community the right to use faith-based arbitration to settle divorce, custody, inheritance and other family disputes, according to the survey conducted for the Centre for Research and Information on Canada.

Asked specifically if the Muslim community should be allowed to use faith-based arbitration, the same percentage of Canadians - 63 per cent - said no, the survey said.

Carsten Quell, director of research for the centre, said the findings suggest anti-Muslim sentiment was not behind the loud opposition in Ontario to allowing Shariah courts to arbitrate family law.

"It wasn't singling out a particular community," Mr. Quell said. "We found that people were generally opposed to do it for any community. So, that explains the opposition to granting the Muslim community that right."

Opposition to all religious arbitration was strongest in Ontario at 68 per cent, followed by Quebec at 64 per cent and Alberta at 63 per cent. They were followed by New Brunswick and P.E.I. at 59 per cent, B.C. at 57 per cent, Manitoba at 56 per cent, Nova Scotia at 55 per cent, and Newfoundland and Labrador at 54 per cent.

Northerners voiced the strongest support for allowing faith-based arbitration. Forty-nine per cent disagreed with the statement that no religious community should be allowed to use faith-based arbitration, the survey said.

Mr. Quell attributed northerners' greater openness to the idea to the existence of a strong aboriginal culture, which has led to such things as sentencing circles and to adjustments in the judicial system to conform more with aboriginal practices.

"There is more of a sense we should accommodate other cultural practices," Mr. Quell said. The poll of 3,201 people, conducted in the latter half of September by CROP in Quebec and Environics outside Quebec, is the organization's ninth annual survey aimed at tapping opinion on issues ranging from security and Canada-U.S. relations to the minority government and the environment and health care. The results are considered to be accurate within 1.7 percentage points, 19 times out of 20.

Mr. Quell said the centre, an arm of the non-partisan Canadian Unity Office, decided to sample public opinion on faith-based arbitration because of the national and international uproar that erupted earlier this year over a proposal to afford Muslims in Ontario the option of using religious courts to resolve family disputes. The option had been available to Catholic, Jewish and other religious communities since 1991.

After weeks of heated debate, Mr. McGuinty announced last month that his government was ending religious arbitration and would introduce legislation to rid the province of existing religious tribunals. He said Ontarians could seek advice from anyone, including religious representatives, on family law, but matters of family law will no longer be decided by religious arbitration.

"The message from Ontario on this is very clear," Mr. Quell said. "Two-thirds of Ontarians are opposed to giving the Muslims the right to faith-based arbitration. But two-thirds are opposed to giving anyone that right."

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