

Turbans OK for Sikh Mounties, court rules; opponents plan appeal

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A federal court judge ruled Friday there was no constitutional barrier to a 1990 decision by former RCMP boss Norman Inkster allowing British Columbia officer Baltej Singh Dhillon to wear his turban on duty.

But an Edmonton human rights lawyer said the money used unsuccessfully fighting the case could have been better spent on promoting understanding and fairness.

Shirish Chotalia is one of the lawyers who opposed the challenge.

She said Justice Barbara Reed's decision reaffirms Canadian society as tolerant and committed to protecting individual rights.

But she said it's unfortunate the issue had to reach the court at all.

"We feel the money could have been more appropriately used for promoting understanding and the acceptance of differences among Albertans and Canadians rather than litigating an issue of fundamental fairness through the courts," she said.

"If we're spending time and resources on issues like this, I don't think it creates a very good picture of Alberta across Canada and even globally."

Justice Reed said she was con-

POLICY BACKGROUND

A primer on the challenge to RCMP policy of letting Sikh officers wear turbans:

HISTORY: In 1989, RCMP — under former commissioner Norman Inkster — allowed Sikh officers to wear religious symbols, including turbans. Move intended to encourage recruitment of minorities.

CHALLENGE: Kirsten Mansbridge, Calgary woman whose husband was a Mountie, organized petition to Parliament. Collected 210,000 names against RCMP turbans. Parliament did nothing. Mansbridge and former Mounties from Lethbridge went to court.

ARGUMENTS: Group argued turban policy was illegal and unconstitutional because it violated the national police force's obligation to be non-religious and neutral.

RULING: Federal Court rejected challenge. Called Inkster's decision to allow turbans laudable.

vinced the former commissioner made his decision out of a desire not to discriminate against Sikhs and to demonstrate an acceptance of Canada's multicultural nature.

Three retired RCMP officers from Lethbridge and a former officer's wife asked the court to reverse the decision, arguing it was unconstitutional for a religious symbol to be incorporated into the uniform of a national police force.

But Reed dismissed the claim that turban-wearing officers might be biased, calling it "quite speculative and vague" and "not based upon any actual concrete evidence."

She writes that Inkster had "laudable objectives."

Initially, there was strong opposition to making any changes to the RCMP dress uniform, usually topped with a broad-brimmed Stetson.

A group of former Mounties crystallized that opposition by gathering more than 200,000 names on a petition opposing the turban policy and collecting more than \$200,000 to fight the court case.

Chotalia and Calgary lawyer Brian Edy entered the case as intervenors representing three groups: the Alberta Civil Liberties Association, the Sikh Society of Calgary and the

Alberta Inter-Religious Coalition.

The last is a non-denominational group formed specifically for this case to demonstrate community support for the turban policy.

"We just wanted to throw in some support from the community and we're very happy with the result," said Parm Basahti, a spokesperson for the group.

"This reinforces the Charter and the protection of minority rights."

Edy said the decision won't do anything to quell future or present controversies, such as the policy of many Royal Canadian Legion branches to prohibit any kind of headgear.

But it is an educational device that reaffirms Canadian values and beliefs, he said.

The former Mounties said they would review the ruling, but hoped to appeal.

"We felt it would end up in appeal court, anyway," said Ken Riley, 68, of Lethbridge, who spent 22 years in the RCMP.

Riley said it is the first time the RCMP has allowed someone "to display and promote his religion by wearing one of those items in uniform."

"What it allows is a special religious privilege for a small percentage of one religious group and denies it to all others. That's not equality."