



The English Speaking Catholic Council

Le conseil catholique d'expression anglaise

Freedom of religious instruction: A fundamental right of parents and children

“Pluralism in education if well understood requires that we be attentive to all individuals and groups and not that religious and cultural differences be reduced in order to give everybody a single pedagogical system.” The late Paul Cardinal Grégoire, Archbishop of Montreal, 1980

From the time it was proposed in the late 1980's to shift the Quebec school system from a denominational model to a linguistic one, the English Speaking Catholic Council (ESCC) has consistently fought for freedom of religion and parental choice in religious instruction for people of all faiths. Time and again, the ESCC has defended these principles in its submissions to the National Assembly, the Commission for the Estates-General on Education, the Special Joint Committee of the House of Commons and the Senate, and most recently, the Bouchard-Taylor Commission on Reasonable Accommodation of Minorities.

In 1998, when legislation was enacted establishing linguistic school boards, assurances were given by the Government of Quebec that freedom of religious instruction and parental rights would be respected. At that time, Section 41 of the Quebec Charter of Human Rights and Freedoms stated that parents have a “right to require that, in the public educational establishments, their children receive a religious or moral instruction in conformity with their convictions”. In 2005, that clause was changed without any public consultation. The new version simply states that parents have a “right to give their children a religious and moral education in keeping with their convictions and with proper regard for their children's rights and interests.” The difference between the two versions is that while the Provincial Government continues to pay lip service to freedom of religious instruction, it is no longer guaranteeing that right in “public educational establishments”.

This is far from being just a Catholic issue. It is above all an issue of freedom of religion, which is intrinsically linked to the right of parents to educate their children according to the faith of

their choice. We affirm categorically that it is not the State's role to replace the parent in this context. What is taught in the classroom, particularly in matters of faith and values, should be cohesive and not conflictual with respect to a child's upbringing at home.

This brings us to the new Ethics and Religious Culture (ERC) program that was introduced this year in Quebec schools. The ESCC fully endorses the Ministry's efforts to address the vitally important subject of religious diversity. However, we maintain that the ERC program must respect parental rights and convictions in the area of moral and religious instruction. We also question moving from a diversity of choices in religious instruction to the imposition of a mandatory curriculum that restricts rather than expands parental choice in this sensitive domain of education. Worse, it turns out that with this new course, not only is there no choice in enrollment, there is not even the choice of exemption.

Recently, Loyola High School, a private Catholic boys' school, requested an exemption from the ERC program on behalf of 85% of its students and parents on the grounds that the course conflicted with the denominational character of the school. In keeping with the Education Act and the normal procedures in making such a request, Loyola also submitted to the Minister of Education, Recreation and Sports, Michelle Courchesne, a proposal for a program that would satisfy the requirements of the ERC program while respecting the Catholic character of Loyola. The Minister subsequently refused the exemption request and to our knowledge has not responded further on this matter to Loyola, despite an invitation from the school to do so. The matter is now before the courts. The ESCC fully supports Loyola's position on this issue.

In conclusion, the English Speaking Catholic Council recommends that the ERC program be offered in a way that respects parental rights and choice in moral and religious instruction. Moreover, religious schools should have the right according to the Education Act to meet the ERC program requirements while presenting an alternative course which is in keeping with their confessional character. These would be steps in the right direction in a free and democratic society.

Martin P. Murphy, Executive Director, ESCC, on behalf of all members of the Board of Directors

Established in 1981, the ESCC is a federally-registered, non-profit organization representing the English-speaking Catholic community in Quebec in the areas of education, health and social services, community animation, social justice and culture.

Montreal, October 1, 2008

