



The English Speaking Catholic Council

Le conseil catholique d'expression anglaise

ABSTRACT: REASONABLE ACCOMMODATION AND FREEDOM OF RELIGION IN QUEBEC

The English Speaking Catholic Council (ESCC) was formed in 1981 as a focal point for coordinating community activities among English-speaking Catholics in Montreal and later across all Quebec. English-speaking Catholics are more than 385,000 strong in Quebec¹ and are an active presence in this society. The ESCC regularly represents their interests with local, provincial and federal government leaders.

Our brief addresses four major areas of concern.

I. Pluralism, Religion and Quebec Society: Religious freedom and the recognition of religious diversity have been pivotal concerns in the emergence and development of liberal democracies. Religious pluralism continues to confront liberal societies with unique challenges and opportunities. Current public disagreements about the limits of religious freedom are part of a deeper debate over the nature of liberalism. Some sectors of Quebec society advocate a form of convergence or comprehensive liberalism that hopes to suppress the public expression of religion, constrain religious freedom, and enforce a broad conformity to a shared set of liberal values. The ESCC rejects this comprehensive vision of liberalism and joins with those who are struggling towards a humbler and more generous form of liberalism that accommodates genuine pluralism. This accommodating form of liberalism recognizes that there are rival, conflicting, often incommensurable, conceptions of human goods and human flourishing within society. Religion is at the heart of this deep diversity in human life. We believe that recognition and respect for religious diversity remains one of the most unique resources for the development of pluralistic liberal societies. The failure to accommodate religious diversity is a failure for liberalism. It will lead to social tension and conflict rather than social tolerance and peace.

II. Freedom of Religion: The Cornerstone of Tolerance and Human Rights: The accommodation of religious diversity is a basic principle of liberal constitutional orders. The “fundamental right” of religious freedom is enshrined in our constitutional charters of human rights and freedoms. Religious freedom has been hailed as the “first freedom” and the

¹ This represents about 42% of all Quebecers with English as their first official language across all 17 administrative regions of Quebec, according to 2001 Canadian census data.

cornerstone of the liberal human rights tradition. However, in recent years a new brand of liberalism dismisses religion as a source of conflict, violence, and bigotry. It argues for the need to deflate and demote religious freedom claiming that it is a stumbling block to the advancement of more basic human rights and freedoms.

This denigration of religious freedom poses a threat to the healthy development of liberal democracy. The ESCC underscores the need to renew and reaffirm our commitment to this fundamental human right. First, religious freedom liberates us from the long history of the persecution of minority religious groups. Second, religious freedom strives to protect these unique and fragile expressions of the deep diversity in human life. Third, religious freedom protects the prophetic and provocative voices of religious resistance to absolute claims on the part of secular or political elites. In many societies, faith-based movements have been the centre of resistance to authoritarian regimes. Fourth, religious freedom protects the independence and autonomy of religious communities and institutions from state intervention and control.

We recognize that there are justifiable limits of religious freedom, but we reject attempts to establish a trump right over religious freedom. On the question of gender equality and religion, we note that strong affirmations of the fundamental equality of men and women can be found in all of the major world religions. However, many religions wed the affirmation of gender equality to a recognition of the fundamental significance of sex difference in the social ecology of human life. Others sectors of opinion angrily reject any affirmation of the significance of sex difference. We reject proposals that weaken religious freedom and enshrine a particular ideology of gender equality in our constitutional charters.

III. Religion in Education, Public Institutions and the Workplace: The ESCC would like to see a stronger re-affirmation of the historic rights of parents in the moral and religious education of their children in article 41 of the Quebec Charter of Human Rights and Freedoms. We express concerns about the imposition of a mandatory programme of religious instruction on private confessional schools. We affirm the right of private religious schools to receive public funding.

We also affirm the right to a full and free exercise of religion in public and private. This includes respect for religious dress, prayer, and displays of religious symbols in public settings. We also recommend the establishment of flexible paid “personal days” each year which employees could use for observing religious holidays of their tradition.

III. Religion, Social Capital, and Public Policy: The final section of the brief speaks to the growing body of social science evidence linking religious commitment to positive indicators of personal and social wellbeing. These findings show that religious affiliation and involvement is correlated with higher rates of educational performance, higher rates of civic involvement, higher rates of charitable giving, reduced rates of delinquency and substance abuse, reduced rates of marital conflict, higher levels of parental investment, and reduced risk of depression and suicide. Religious communities are usually on the front lines in the reception and integration of immigrant communities and they provide crucial support to sectors of the society that are at risk due to marginalization, poverty, age, or ethnicity. Faith-based associations are involved in almost all sectors of civil society including: education, health care, social justice, human rights activism, immigration, environmental issues, and international development.

Detractors of religion argue for the social suppression and marginalization of religion. The ESCC believes that a more constructive approach to Quebec's future requires a more sober and well-researched assessment of the substantial contributions of Quebec's diverse religious communities to social wellbeing and more innovative forms of collaboration between the state and this vital sector of civil society.

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