



The English Speaking Catholic Council

Le conseil catholique d'expression anglaise

BRIEF

PRESENTED TO THE STANDING COMMITTEE ON EDUCATION,

GOVERNMENT OF QUEBEC, ON SEPTEMBER 22, 1999

BY THE ENGLISH SPEAKING CATHOLIC COUNCIL

The English Speaking Catholic Council (ESCC) made a major act of good faith when in May 1988, at the National Assembly Hearings studying Bill 107 (the Education Act), it defended its brief in favor of the reorganization of school boards along linguistic lines while strongly advocating measures to ensure the confessional character of schools.¹

The ESCC is willing to cooperate in efforts to expand rights which are currently enjoyed by Catholics and Protestants. But we are totally against restricting and removing these rights. In a democracy, we extend and expand rights - we do not diminish, limit or remove rights. Rights are often based on a Vision. It is for this reason that we see the recommendations in the Proulx Report as lacking fundamental democratic instinct and, if adopted, will be seen as a betrayal of a TRUST.

The following addresses the issue of adherence to democratic principle :

1. In early 1996, the Estates-General on Education published its report on the State of Education in Quebec. This report claimed that, "roughly speaking, half of the participants were in favor of maintaining confessionality and half were against."² This is apparently not in accordance with the facts. Gary Caldwell, one of the Commission members on the Estates-General, in his dissident opinion concerning the denominational system, reported in the Commission's Final Report that "57 percent to 63 percent of the briefs, depending on whether ambiguous and indifferent points of view are included were in favor of denominational schools."³ Majella St.Pierre and Lucie Demers, also Commissioners of the Estates-General, in

their dissident opinion concerning confessionality, do not share the majority view (among Commissioners) on the elimination of Catholic and Protestant religious education from the curriculum for parents and students who so wish out of respect for our democratic tradition.⁴ Our investigation has established that approximately 1300 briefs addressed the issue and only 65 briefs favored secular schools. It was ironic that on the very evening when the Estates-General tabled its Final Report and recommended that "groups currently holding confessional guarantees should introduce mechanisms that will enable Christian education to be dispensed in places more appropriate than the schools"⁵ a public opinion poll, conducted by SOM, La Presse and Télé-Québec, found that 74% said "Non" to the question "Doit-on sortir complètement la religion des écoles québécoises?"⁶ In the face of all this evidence, it is surprising that the real intent of parents and their ability to make enlightened choices concerning the education of their children which have already been established time and time again is still being challenged.⁷

2. Honorable Stéphane Dion, in announcing the Section 93 constitutional amendment resolution to the House of Commons, proposed by Quebec's National Assembly on April 22, 1997, assured Quebecers:

"Mr. Speaker: Although Quebecers approve of secularization of school organization, many are attached to religious instruction. Quebec's Minister of Education, Ms. Pauline Marois, has already indicated that schools that so wish may retain their denominational orientation. Furthermore, the right to religious instruction is still guaranteed by section 41 of the Quebec Charter of Human Rights and Freedoms," ⁸

Yet, Section 41 "does not from a legal point of view have a binding effect on the legislator"⁹

(Sections 1-38 of the Quebec Charter are covered by the provision of primacy in Section 52).

3. Many claimed that the Assembly of Bishops of Quebec (AEQ) did not oppose the establishment of linguistic school boards. Few acknowledged that the AEQ never argued in favor of repealing Section 93. What is clear however is that the AEQ support has always been accompanied by one condition, viz. that the denominational guarantees established by Bill 107 be maintained!¹⁰

The Proulx Report acknowledges the commitments made by the state in 1964 and which were honored subsequently by Education Minister, Jacques Chagnon, by the renewal of the notwithstanding clause in 1994 "because of the need to preserve the foundation of the sociopolitical compromise reached in 1964 between the state and religious authorities regarding confessional arrangements affecting the school system!¹¹

4. In March, 1996, Pauline Marois, the then Minister of Education, issued a Ministerial Statement explaining the orientation and structures the Government was proposing, excerpts of which follow:

"Public schools must respect the free choice or the free refusal of religion. This is a democratic freedom."

"The free choice between moral education and Catholic or Protestant religious education will be maintained, in accordance with section 41 of the Quebec Charter of Human Rights and Freedoms, which provides for the possibility of instruction in conformity with [the parents'] convictions. Pastoral animation or Protestant guidance services will also be offered on the basis of free choice."

"In order to facilitate a smooth transition to linguistic school boards, we will maintain the present denominational status, Catholic or Protestant, of the schools. However, two years after the establishment of linguistic school boards, the schools will be asked to review their status, after consulting the parents, and to decide whether it is meaningful and appropriate." ¹²

5. The study of religions from a cultural perspective is intended for all students, regardless of their parents' religious background:

"Humanism, existentialism, Marxism, liberalism and atheistic scientism are a few of the schools of thought that could be included in a program on the study of religions.¹³

"It gives a prominent place to Christian traditions."¹⁴

Why does this not in the opinion of the Proulx Committee, violate the primacy of the right to equality and freedom of conscience and religion guaranteed in the Quebec and Canadian Charters?

It is surprising that the pedagogues on the Committee could all agree that this content is appropriate for the maturity level of elementary and even the younger secondary school students and must be presented in a non-superficial manner. As well, it is suggested that the teaching time allocated for the study of religions (to be compulsory for all students) could be combined with that allocated for moral education or citizenship education, which it is proposed must also be offered.¹⁵ This is quite ambitious.

6. Additional remarks related to the mandate to examine the place of religion in schools:

- i) Why is the report entitled: "Religion in Secular Schools"?
- ii) Who represented the Parents and English-speaking Catholics on the Committee?

iii) "We began by calling for briefs from approximately 80 organizations representing the major groups in society with an interest in the place of religion in schools"¹⁶ Why was the English-speaking Catholic Council not invited?

iv) Is it not extraordinary that eight persons could agree on fourteen recommendations on such a controversial and emotional subject as Religion?

v) Why were W.J. Foster and W.J. Smith, who have a well-documented negative bias on this issue, to our knowledge, the only two English-speaking "professors and legal experts" consulted and quoted in the Report?

"Accordingly, we propose that sections 726 and 727 (Education Act) be abrogated, that the recognition of schools as Catholic or Protestant by the respective denominational committees of the CSE be eliminated and that the adoption of an educational project based on a particular religious faith be prohibited." ¹⁷

vi) "While our schools can be secular, the students attending them will still follow the teachings of their religion."¹⁸ Where is this reflected in any of the recommendations?

How can students follow the teachings of their religion in school and observe their distinctive forms of religious expression and not infringe of the students' freedom of conscience and religion and not violate the Charters according to the Committee's interpretations?

7. "The principles of pluralism must be worked out carefully in a democratic society; authoritarian assertions of what must be banned (implicitly in the name of secular dogma) are unacceptable"¹⁹

"In a democratic society, the role of the state is to meet the legitimate aspirations of the population"²⁰. Surely, then, the wishes of Parents, in particular, must not be neutralized.

ARGUMENTS FOR PARENTAL DEMOCRACY:

"A majority of partners in the education community support the principle of equality among the religions represented in each school. Among Catholic and Protestant parents, and parents belonging to other denominations, the majority opinion supports an extension of current

privileges to all religions; among parents with no religious affiliation, a broad majority considers that no denominational privileges at all should exist." 21

"In the briefs they submitted to us (Proulx Committee), the two parents' associations and Catholic organizations expressed support for the status quo." 22

"Nous déplorons que l'on mette de côté le droit des parents de choisir le type d'école qui correspond le mieux à leurs convictions religieuses ce qui fait partie d'une longue tradition chez nous."23

"Je m'engage à appuyer les parents dans leur requête d'un enseignement religieux de qualité dans les institutions publiques."24

"Tout au long de l'enfance et de l'adolescence, les communautés chrétiennes et les éducateurs doivent être attentifs à développer une catéchèse organique, pour que les jeunes puissent connaître les grandes lignes du mystère chrétien. Leur formation ne peut pas consister uniquement dans un apprentissage de matières scientifiques et techniques. Elle doit intégrer les dimensions anthropologique, morale et spirituelle, pour édifier la personnalité des jeunes. J'attire l'attention de tous ceux qui'ont une fonction éducative dans les établissements d'enseignement confessionnel pour que la spécificité et l'identité catholiques, qui sont une richesse, ne soient ni perdues ni mises sous le boisseau."25

"Étant convaincu de la haute valeur formatrice de la religion, je crois que, sans préjudice des valeurs démocratiques, il est possible et souhaitable, en conformité avec notre tradition historique, que des rapports de coopération continuent d'exister entre l'école et les églises. Pour la santé morale de notre société tout autant que pour la valorisation du processus éducatif, il m'apparaît hautement désirable,(tout en veillant à ce que cet enseignement et ces services ne soient jamais imposés à l'élève contre la volonté de ses parents), que le plus grand nombre possible d'enfants puissent recevoir dans les écoles publiques un enseignement

religieux et moral et y avoir accès à des services de pastorale en conformité avec leurs convictions religieuses et celles de leurs parents."26

"The whole process of education has a spiritual context. The pursuit of knowledge begins with a sense of awe at the mystery of existence. The very idea of universal education is rooted in our sense of the sanctity of the individual. Secularize education and you diminish it. You diminish its power for children; you diminish the dignity of our teachers; you diminish the value of education as an end in itself ... No culture can survive change without faith. From today, and for the sake of our children, I hope that the voice of faith will speak more loudly in our culture."27

Concerning the issue of parental democracy, the English Speaking Catholic Council fails to understand why every single member of the Proulx Committee could possibly be so insensitive as to propose Recommendation 1028 as a solution for parents. This would mean parents would be expected to abdicate what they believe is important for their children in the name of the rights of others to dissent (3%,?). Article 40 of the Quebec Charter stipulates that every person has a right, to the extent and according to the standards provided for by law, to free public education.

Given the fragility of families and the impossible demands on parishes with limited staff, it is obvious that for many, school is often the primary place where young people, searching for meaning in their lives have the opportunity to examine this issue - an important dimension in their human development. Many have lost a sense of the sacred and so religious education is a voice in the wilderness that offers hope and helps make sense out of conflicting values.

The English Speaking Catholic Council believes that there is a legitimate place for genuine religious education in publicly supported schools in western pluralist democracies. The idea of a single common school is an anachronism as we turn the corner towards the third millennium. The so-called "cultural" study of religion, advocated by the Proulx Report, is a deliberate attempt to marginalize and devalue the spiritual heritage intrinsic to the identity of Quebec society. Our perception is that in its antagonism to a holistic understanding of education, the Proulx Report advocates a reductionist, secularist vision of a society more proper to

parliamentary debates of the late eighteenth and mid-nineteenth century, rather than that proper to a pluralistic society at the turn of the millennium.

The positive aspect of the Proulx Report is that it is an opportunity to debate the kind of pluralistic society that does not characterize spiritual and religious dimensions of our common humanity as divisive. From the debate, it is our hope that a vision of society will emerge that encourages respect for the spiritual and religious dimensions of human experience within a pedagogical framework of critical thought and historical discernment. The inclusion of religious thought and experience within the educative process would be multi-dimensional - through qualified religious educators and religious animators.

This should be a unique moment to incarnate a vision, beyond ambiguity, which includes religion as a vital part of our identity and cultural heritage. Any education that excludes it is incomplete.

RECOMMENDATIONS

The English Speaking Catholic Council is a member of the Coalition for Parents' Right to Choose the School of their Preference, and endorses the following three principles:

Principle 1: The coalition recognizes a priori parents' right to choose "the school that best reflects their preferences" (Education Act, Article 4) as well as the education project that corresponds to their vision.

Principle 2: The coalition strongly rejects all uniform solutions and those that would diminish differences.

Principle 3: The coalition strongly urges the Government to hold a truly democratic debate regarding the place of religion in the school.

The English Speaking Catholic Council specifically recommends that:

as a first priority, the option be provided for parents who wish to send their children to a public school which has a denominational status. This would require the extension of current "privileges" for Catholics and Protestants, to other denominations represented in sufficient numbers.

secondly, public secular schools with religious instruction in each denomination (where numbers justify it), and moral education or the study of religions from a cultural perspective, as considered in Scenario I. (P. 196), should also be an option. With respect to principles and objectives, this scenario is in keeping with state neutrality. Similarly, with respect to legal principles, this option respects the right to equality and freedom of conscience and religions of all citizens.²⁹

thirdly, English speaking Catholics who appreciate the value of pastoral animation, expect that this service will continue to be provided.

The English Speaking Catholic Council

Montreal, September 10, 1999

Notes

- 1- ESCC Brief presented to National Assembly Commission Hearings on Bill 107, May 1988.
- 2- The State of Education in Quebec - Estates General Report on Education, 1995-96, Chapter IX, p.111.
- 3- Final Report of the Estates-General on Education, October 1996, Appendix I, p.69.
- 4- Ibid. p.72.
- 5- Ibid. p. 82
- 6- La Presse headline "Les Québécois disent non à l'école laïque", Oct. 11, 1996 p.1
- 7- 325,000 petitions presented to Minister Pauline Marois on December 10, 1996 by a Coalition for the Evolution of the School System for and with the Population of which the ESCC was a partner.
- 8-News Release, Government of Canada, April 22, 1997, p.2
- 9-The Proulx Report "Religion in Secular Schools" p.176
- 10-Assembly of Quebec Bishops' Letter to Hon.Stéphane Dion, Sept.30, 1997 and Note du Comité épiscopal de l'éducation de l'AEQ en vue d'une intervention à la Commission parlementaire de l'éducation sur l'avant-projet de loi modifiant la Loi sur l'instruction publique, p.6
- 11-The Proulx Report "Religion in Secular Schools", p.169
- 12-Ministerial Statement by Minister of Education Pauline Marois, March 26, 1997, Proulx Report pp.251, 252
- 13-The Proulx Report "Religion in Secular Schools" p.241

14-Ibid., p.201

15-Ibid., p.201

16-Ibid., p.131

17-OREP Policy Talk, McGill, 1997

18-The Proulx Report "Religion in Secular Schools, p.216

19-The Place of Religion in Public Education, p.219, Mark Holmes, The Ontario Institute for Studies in Education

20-The Proulx Report "Religion in Secular Schools", p.10

21- Ibid., p.163

22-Ibid., p. 179

23-AEQ, April 1, 1999

24-Synod Pastoral Orientations, April 28, 1999, Cardinal Turcotte

25-Pope John Paul II, Visite AEQ ad limina, 29 avril, 1999

26-Reflexion sur l'avenir de l'éducation par Claude Ryan, le 6 octobre 1996

27-Chief Rabbi of Britain Dr. Jonathan Sacks, "The Living Spirit", The Tablet (Vol.249, No.8063; February 18, 1995), p.234

28-The Proulx Report "Religion in Secular Schools", p.222

29-The Proulx Report "Religion in Secular Schools" pp.196, 197

N.B. "In our survey of parents, teachers and principles, we did not solicit their opinion on this scenario"

