

Québec Parents Cry Out for Freedom

Reference: Court Report & Communiqué, Winter 2007, Vol. XVI, No. 4.
Home School Legal Defence Association of Canada.

A bit of history

Since the 1960's, when education in Québec became the state's responsibility rather than the church's, the education system has been through many changes. However, a major reform introduced less than ten years ago is progressively eroding what used to be a rich cultural and religious heritage.

In 1997, following a bilateral agreement between the Canadian federal and Québec provincial governments, a modification was brought to the Canadian constitution, with no consultation whatsoever with the other founding provinces. This modification excluded Québec from Article 93 of the Constitution, which guaranteed minorities in Montréal and Québec City the right to education in French or English, and according to their religious beliefs – Catholic or Protestant. The motivation in doing so was to prepare the way to reorganize Québec's education system into linguistic school boards. Over the next few years, confessional schools (Protestant, evangelical and Catholic) were required to close, students were transferred to their local schools, and teachers were reallocated to regular public schools. Once this was done, parents had the option to choose between Protestant or Catholic religious instruction where the number of students warranted, and moral instruction from a secular perspective. The registered Protestant evangelical and Catholic private schools, which were partially funded by government, could continue their religious instruction, as long as their children were being taught according to the ministry curriculum in other subject areas. From the outset, however, it was stipulated that, as of September 2008, all religious or moral instruction would be replaced by a new course on religions in general.

Ethics and Religious Culture course

Bill 95, entitled *An Act to amend various legislative provisions of a confessional nature in the education field*, was introduced on May 4, 2005, adopted in principle on June 2, adopted on June 15, and assented to on June 17. It will fully take effect on July 1, 2008. Not many citizens were aware of how this would affect their children's education until the new *Ethics and Religious Culture* course was rendered public recently.

Section 13 of the new bill modifies the Québec Charter of Human Rights and Freedoms (R.S.Q., C-12):

13. Section 41 of the Charter of Human Rights and Freedoms is replaced by the following section:

*“41. Parents or the persons acting in their stead 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.**”* (emphasis added)

Article 41, now repealed, previously stipulated:

41. Parents or the persons acting in their stead have the right to require that, in public instruction establishments, their children are provided with religious or moral instruction in accordance with their convictions, within the framework as provided for by law.

The new article, contrary to the previous one, exceeds the institutional context (i.e., teaching establishments) to include Québec society as a whole. Consequently, it would be possible to invoke this article of the charter to impose the new *Ethics and Religious Culture* course upon homeschooling families, by justifying that it is in the interests of their children and with respect for their rights. This is supported by the United Nations Convention on the Rights of the Child where Article 14(1) establishes that: “State Parties shall respect the right of the child to freedom of thought, conscience and religion.” What thought, what conscience and what religion? Those passed on by the parents or those inculcated by state curriculum?

Furthermore, directives in the *Ethics and Religious Culture* curriculum specify that instructors are to be facilitators only and that they must be very discreet with regards to

their personal beliefs and values. Terms such as “professional judgment”, “objectivity”, and “impartiality” abound.

HSLDA and ACPEQ support the new coalition

In a short time, concerned parents brought together a coalition to lobby against government intrusion on beliefs and values which they consider to be an important part of their children’s education. The *Coalition pour la liberté en éducation - CLÉ (Coalition for Freedom in Education)* is working towards having Bill 95 repealed so that parents may maintain freedom of choice with regards to their children’s religious instruction. After only a few months of existence, the coalition called all concerned parents to a rally on October 20, 2007 at the National Assembly in Québec City. Now why should this issue be of concern to homeschooling families, whose children don’t attend government-funded schools anyway?

HSLDA has been in contact with Québec government officials regarding a new policy on homeschooling for more than two years now. Although the policy has yet to receive the minister of education’s approval, Québec school boards have been providing homeschooling parents with a preliminary version, as well as accompanying documents for them to sign. These “contracts” require that parents teach their children according to the Ministry of Education’s (MELS) curriculum. HSLDA has consistently advised its members to notify their school board of their intent to homeschool other than by signing these documents.

We believe that our credibility with ministry officials has already been established and we are hopeful for future consultations. However, our concern is that the MELS will forge ahead with a policy much like they have done with modifications in legislation and the withdrawal of rights that were guaranteed by the charter for public school students. A ministry official has already declared in no uncertain terms that, once the question of non registered schools is taken care of, homeschooling is next and homeschoolers would be coerced into meeting ministry requirements as well. For this reason, we felt it was

important to support the coalition's efforts to prevent the *Ethics and Religious Culture* course from being imposed on Québec families.

The Rally is a Success!

It was under an overcast sky but otherwise clement fall weather that close to 150 homeschoolers – parents and children – participated in the rally in Québec City on October 20th. What an encouragement to see some of you travel from as far as West Island Montréal, the Laurentians, the Eastern Townships and Saguenay! Other regions closer to Québec City were also represented. Speakers at the National Assembly included the founders of the coalition, the president of the Association of Catholic Parents of Québec and a Québec City area evangelical pastor. All claimed that parents should maintain the right to choose the kind of religious instruction they want for their children. The message was sent loud and clear that government was overstepping its boundaries by imposing this new approach to religious instruction upon families, with no recourse for parents to withdraw their children from these classes. Media reported about 1,000 people in attendance, but the coalition was provided with figures as high as 2,700. Otherwise, reporters did a reasonably good job of covering the event. Feedback from participating homeschoolers was also very positive.

Once again we thank those of you who took time out from your numerous weekend activities to support this very important initiative. You are not only fighting for freedoms in Québec but for homeschooling freedoms across the country. As HSLDA continues to monitor policy-making and legislation in each of the Canadian provinces jointly with provincial associations, we will do our best to inform our members of issues surrounding home education that could affect our freedoms.

Comments from three members which could be inserted as side-bars:

Before we received your email, we had no idea about the new “state” curriculum being imposed upon children in our province. We are horrified at the thought of what Québec could look like in 10 or 20 years from now, when today's children will have been

subjected to a systematic desensitization with regards to the values and truths of the Christian faith! Québeckers MUST maintain the right to have their children educated according to their parents' convictions. Québeckers MUST NOT allow government to impose upon them a state religion.

Our experience as homeschooling parents has made us much more aware of how the right to educate our children according to values we hold dear is fragile. We realized how important it is to defend what we do have. We believe that it is essential to remind our government that there is a limit to state intrusion into our homes.

I wasn't overjoyed at the perspective of spending a precious Saturday in Québec City. However, the prospects of traveling with other families who share my convictions, as well as the gentle but firm pressure that had come through ACPEQ, were enough to sway me and I went with two of my children. What could be more educational than to be a part of an important historical moment and gaining a better understanding of the impact of government decisions?! Thank you to those who inspire us by their integrity, their dedication and their involvement in defending our rights.