

# Patriquin: Religious symbols ban for teachers would be cruel, absurd

The Quebec government's calls to school boards show a crass incomprehension of labour laws, as well as the province's human rights charter.

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Westmount High School teachers protest against the Coalition Avenir Québec government's plan to bar certain public employees, including teachers, from wearing religious symbols on the job, in Montreal Thursday, Oct. 18, 2018. *JOHN MAHONEY / MONTREAL GAZETTE*

Last Friday, English Montreal School Board Director General Ann Marie Matheson received an odd request from Quebec's education ministry. Did the EMSB keep statistics of just how many of its teachers and administration staff wore religious symbols? Matheson said the board doesn't keep such statistics. The call lasted about 15 seconds.

Across town, a similar call was placed to the director general's office of the CSDM, the largest French school board in the province. A similar answer was given: [these statistics don't exist \(https://montrealgazette.com/news/local-news/quebec-wants-schools-to-count-teachers-who-wear-religious-symbols-report\)](https://montrealgazette.com/news/local-news/quebec-wants-schools-to-count-teachers-who-wear-religious-symbols-report).

These two calls are [astonishing and troubling \(https://montrealgazette.com/opinion/columnists/brownstein-optics-of-religious-symbols-inquiries-should-concern-legault\)](https://montrealgazette.com/opinion/columnists/brownstein-optics-of-religious-symbols-inquiries-should-concern-legault) for a variety of reasons. François Legault's Coalition Avenir Québec government is in the process of writing [a proposed law \(https://montrealgazette.com/news/quebec/legault-defends-plans-to-ban-religious-symbols-replace-school-boards\)](https://montrealgazette.com/news/quebec/legault-defends-plans-to-ban-religious-symbols-replace-school-boards) that would ban the wearing of religious symbols for those government workers with "coercive power," a category into which the CAQ has awkwardly shoehorned teachers.

We're told this law, expected sometime this year, is needed to reinforce Quebec's secularist reality from an allegedly creeping religiosity. And yet as these calls demonstrate, the government doesn't have a blessed clue as to the preponderance of said religiosity — or even if it exists at all. Essentially, Legault is legislating to fix a problem his government isn't quite sure exists and can't even fully quantify.

Yet there's an even more nefarious aspect to the government's questions. In asking the school boards whether they keep lists of outwardly religious staff, the government is showing a crass incomprehension of Quebec's labour laws, not to mention the province's Charter of Human Rights and Freedoms.

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Inquiring about the religion of an employee, prospective or otherwise, is prohibited under the Charter — akin to asking about their race, colour, sexual orientation, civil status, disability or political affiliation. School boards and teachers' unions alike don't have statistics as to staff and member religiosity precisely because it would be illegal to keep such things, as Sylvain Mallette, president of one of the province's largest teacher union federations, told me recently.

There's another good reason these statistics don't exist: the government would have almost certainly used them to bolster the case for its law. Had the number of, say, hijab-draped heads

in the classroom been relatively high, it could serve as an argument for its necessity. Were it a lesser number, the government could instead point to how few people were affected (<https://montrealgazette.com/news/quebec/we-had-to-act-fast-on-riverdale-high-unapologetic-legault-says>) by the law. It wins either way.

Should it be enacted as expected, the government's proposed secularism law will have the biggest practical effect on teachers (<https://montrealgazette.com/opinion/columnists/fariha-naqvi-mohamed-faith-or-job-what-kind-of-choice-is-that>) and the students they teach (<https://montrealgazette.com/opinion/opinion-religious-symbol-ban-for-teachers-would-be-bad-for-students>). That creeping religiosity the government is so worried about? It doesn't exist among Sûreté du Québec police officers, within the public prosecutor's office or Quebec's administrative tribunals. The government questioned all three, according to the Journal de Montréal. The answer: not so much as an offending hijab, kippah or visible crucifix in the whole lot.

That leaves teachers. There are almost certainly soon-to-be offending religious symbols among the tens of thousands who teach for a living in Quebec.

In banning religious symbols for teachers, the government will essentially make a handful of religious people, mostly women, even more dependent on their spouses for support. In the process, it will also ostracize the students who wear religious symbols. Though the law doesn't cover them, they would be affected by the social norms it declares nonetheless.

We've been through this exercise before, with the "Quebec values charter." That particular debate, unleashed by the Parti Québécois in 2013, generated enmity, division — and "an augmentation of intolerance, violence and racism, particularly against Muslim women who wear the veil," according to Quebec's association of women's shelters.

And Legault will do all of this amid a teacher shortage, in the name secularism. It's hard to tell whether this is more cruel or more absurd.

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