

April 3, 2019 - 27 Adar II 5779

TEACHER WITH HEAD SCARF WORRIES NEW BILL WILL DISCRIMINATE AGAINST HER

By **Janice Arnold, Staff Reporter** - April 2, 2019



The tongue-in-cheek "Quebec kippah," created by a Chabad Rabbi Yisroel Bernath in 2013 in response to the Parti Québécois's charter of secular values, has been re-issued.

A public schoolteacher who wears a headscarf in compliance with her Orthodox Jewish belief fears she will be among the public sector workers affected by Quebec's state religious neutrality bill.

Carolyn Gehr, a high school teacher with the English Montreal School Board (EMSB), told *The CJN* her kerchief is similar to the abbreviated kind some Muslim women wear, so she thinks it is quite possible her attire would be banned under the legislation tabled March 28 by the Coalition Avenir Québec (CAQ) government.

The section of Bill 21 headed "Persons subject to the prohibition on wearing religious symbols in the exercise of their functions" does not enumerate what symbols those would be.

It does make clear that teachers, vice-principals and principals of educational institutions under the jurisdiction of a public school board will be barred from wearing religious symbols on the job.

Those currently employed will be exempt due to a "grandfather" clause in the bill.

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Gehr, who was hired by the EMSB in 2006, said that while she would not lose her teaching position, the proposed law would prevent her from being promoted to vice-principal or principal.

"It definitely makes me angry; they are creating a problem that is not there," she said. "No one has ever complained about what I wear."

Gehr stressed that what her head covering is not a "symbol."

"I think the government has a misunderstanding. I don't wear this to say, 'Look everyone, I'm a Jew'.

"It's a requirement of my religion, and my religion is not something I can leave at the door. They are not asking me to take off a symbol, but to break a rule."

She said, as a married Orthodox woman, she must conceal her hair in public. Many wear a sheitel, or wig, but she has always preferred the scarf.

The EMSB passed a resolution vowing it will not enforce the law if it is adopted.

Gehr said she is grateful for that, and the support she has received from colleagues, although she wonders how the government might react to a school board's non-compliance.

On a more general level, Gehr is concerned that the "laicity" law will foster a discriminatory attitude towards those in Quebec who wear religious attire.

"You may be looked at as not really belonging here, that you're just lucky that (Premier) François Legault is being nice to you," said Gehr, who teaches math and science at a high school she asked not to be identified.

She notes that in the past she taught the mandatory ethics and religious culture course, which is designed to give students an understanding of the major religions, as well as secular values.

"If they thought I would be biased, I'm pretty sure they would not have let me teach that," she said.

At a more fundamental level than which symbols will be banned, Frank Schlesinger, chair of the Lord Reading Law Society's human rights committee, finds what is most worrisome is that the bill creates "a hierarchy of rights." It amends the Quebec Charter to oblige citizens to show "a proper regard for state laicity in exercising their fundamental freedoms and rights."

Legault has only deepened his concerns about the bill's "far-reaching" consequences with his follow-up "In Quebec that is how we live" video and advertising message.

"Who is the 'we'? Do I form part of it?" wonders Schlesinger, who was a municipal court judge for 30 years.

The CAQ's justification that this is what the majority of Quebecers want is dismaying, Schlesinger said, because "a true democracy protects minorities against majority rule. This is a reversal of that... The government is saying the collective has to take precedence over the individual.

"This is not just about a dress code; the bill is creating a state of 'us vs. them.' Everyone is equal, but some are more equal than others."

Mount Royal Liberal MP Anthony Housefather expressed his personal opposition to the bill "because Canada has a duty to protect minorities wherever in this country they live," he tweeted. "We have chosen to live under a charter [of rights and freedoms], not just majority rule."

Côte St-Luc reiterated its opposition, expressed in a unanimous resolution passed by the council in February. "Whether one wears a kippah, a hijab or a turban, this does not affect one's ability to provide either unbiased opinions or services in a secular state," said Mayor Mitchell Brownstein, who is urging all municipalities to voice dissent.

The leader of the opposition at Montreal City Hall, Lionel Perez, an observant Jew who wears a kippah, tweeted: "This bill seeks to find a solution to a problem that does not exist. In creating two classes of citizens, we are going to marginalize the people and infringe on fundamental rights."

He is proposing that Montreal, given its diverse population, be exempted from the bill, citing a 2017 law that increased the city's autonomy and powers as "the metropolis of Quebec."

The controversy has reverberated beyond the province's borders.

Halifax city councillor Richard Zurawski says he will boycott the Federation of Canadian Municipalities conference to be held in Quebec City starting at the end of May to protest the proposed legislation.

“As an atheist with Jewish heritage I wish for governments to be secular, however, this act has its roots in racist policies and intolerance and offends human rights. There is no place in my Canada for this kind of hatred and discrimination,” he posted on Facebook.



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