

Believing in QUÉBEC'S RELIGIOUS HERITAGE

PROCEEDINGS
INITIATED BY
THE COMMITTEE ON CULTURE



REPORT
JUNE 2006



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Errata

Believing in Québec's Religious Heritage

This English version of the report includes the following corrections with respect to the original French version published in June 2006. The page numbers given below refer to the original French.

1. P. 9, n. 3: *Le patrimoine religieux du Québec : de l'objet cultuel à l'objet culturel* now reads *Le patrimoine religieux du Québec : entre le cultuel et le culturel*.
2. P. 17, n. 25: "Canon 1292" now reads "canon 1283".
3. P. 26, n. 55: "M^{gr} Jean-Pierre Blais" now reads "M^{gr} Jean-Paul Blais".
4. P. 52, last line: The reference to section 5 (S.Q. 2006, c. 3) is now a reference to section 6 of the *Sustainable Development Act* (R.S.Q., chapter D-8.1.1). The reference in note 90 now reads accordingly.
5. P. 53, first line: The text now quotes paragraph *k* of section 6 of the *Sustainable Development Act* (R.S.Q., chapter D-8.1.1) instead of paragraph 7 of section 6 of Bill 118, as introduced in 2005.

Photos:

Election of an alms taker for the construction of Ville-Marie Church and Jean de Saint-Père account ledger. Date: July 29, 1654. Archives nationales du Québec, Centre de Montréal, TL331,S1.

Anonymous 17th-century painting of Saint Ambrose, Musée des Augustines de l'Hôtel-Dieu de Québec. Photo by Michel Élie, Centre de conservation du Québec.

Wall-mounted sculpture representing the Virgin and Child, Musée des maîtres et artisans du Québec, MMAQ-1986.6. Photo by Michel Élie, Centre de conservation du Québec.

Organ façade, Sainte-Famille Church, Boucherville. Photo by Massimo Rossi.

Stained-glass window, Saint-Jean-Baptiste Library (former St. Matthew's Church), Québec. Photo by Daniel Lessard, National Assembly of Québec.

Sculpture of an angel, Saint-Jean-Baptiste Library (former St. Matthew's Church), Québec. Photo by Daniel Lessard, National Assembly of Québec.

Interior, Saint-Jean-Baptiste Library (former St. Matthew's Church), Québec. Photo by Daniel Lessard, National Assembly of Québec.

Stained-glass window, Saint-Jean-Baptiste Church. Québec. Photo by Michel Élie, Centre de conservation du Québec.

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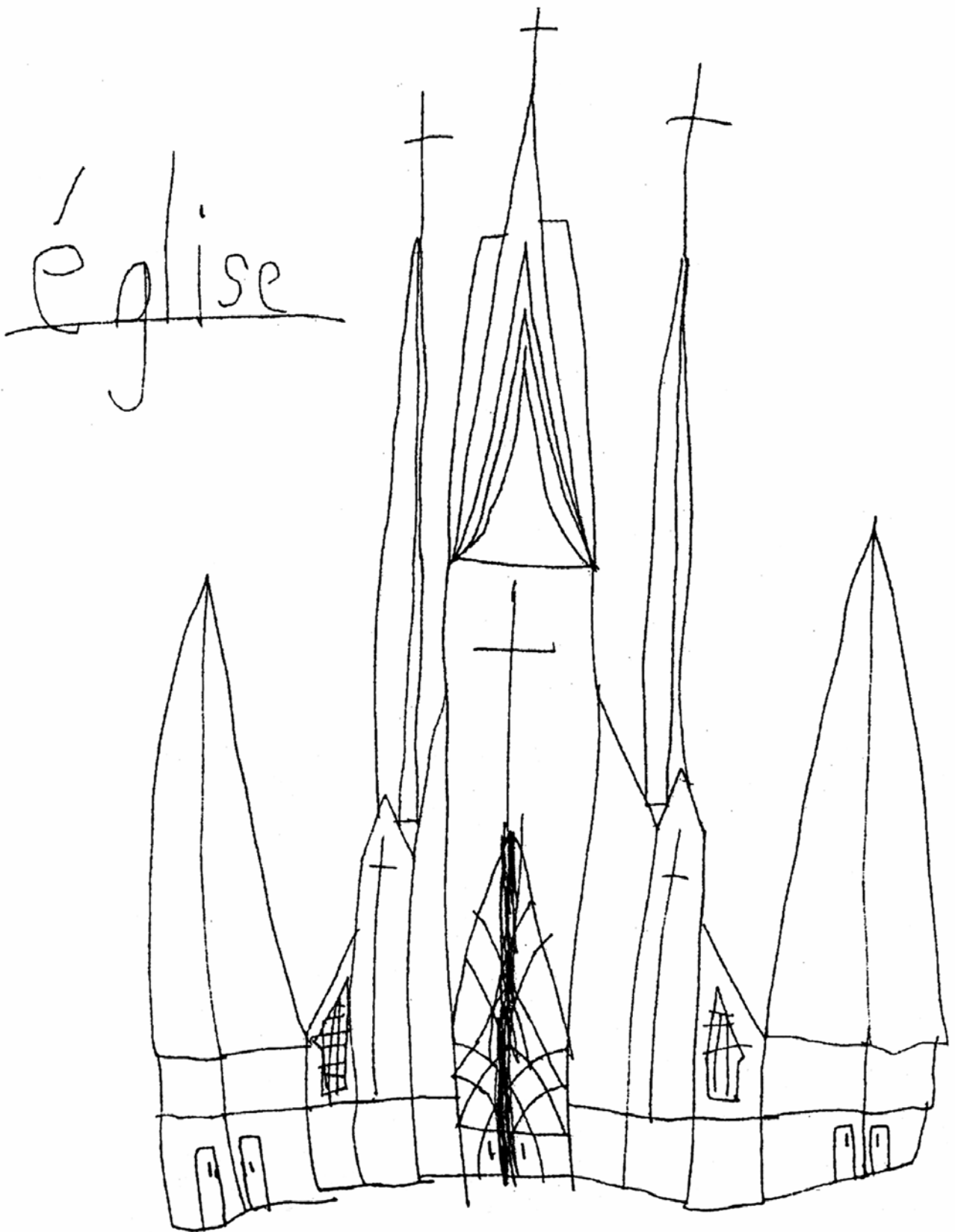
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Drawing by William Gobeil, age 7, a witness for the Conseil de quartier de Saint-Jean-Baptiste, who helped create a calendar as part of a fund-raising drive to save Saint-Jean-Baptiste Church in Québec city.

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FOREWORD

We are pleased and proud to present the Committee on Culture's report on the future of Québec's religious heritage. This report grew out of a mandate the Committee members gave themselves on November 23, 2004 under their power of initiative, and was adopted unanimously. It is the result of broad public discussions with interested groups and individuals across Québec.

To launch our general consultations, the Committee released a consultation paper on June 6, 2005, and invited individuals and groups to submit briefs or complete an online questionnaire. In response, the Committee received 120 briefs and 69 completed questionnaires. From September 20, 2005 to January 25, 2006, the Committee held public hearings across Québec and heard 102 respondents. These individuals and groups appeared before the Committee in Québec, Montréal and the regions to express their concerns and answer questions from the Committee members. Researchers, academics and experts with an interest in heritage issues, canon law or the protection of cultural property shared their knowledge and voiced their opinions at special hearings held by the Committee. The Committee also drew from the findings of a delegation that travelled to Belgium and France on a study mission from February 5 to 10, 2006.



Public hearings by the Committee in Saguenay, October 27, 2005.



Visit of St. James Anglican Church in Gatineau, September 29, 2005.

After logging 3,232 kilometres throughout Québec, visiting religious heritage buildings and sites such as the Augustine monastery and Saint-Roch Church in Québec, St. James Anglican Church in Gatineau and the Centre de spiritualité des Ursulines in Loretteville, participating in an international symposium called *What future for which churches?* in October 2005, and holding 13 public sessions, 14 work sessions and 2 steering committee meetings, the Committee has formulated recommendations aimed at protecting and enhancing Québec's religious heritage.

The adoption of this report is the culmination of intensive work by research officers Alain Gariépy, Christina Turcot and Hélène Bergeron, who drafted the consultation paper, summarized briefs and prepared briefing notes. To them we extend our deepest gratitude. Sonia Grenon, François Arsenault, Marc Painchaud and Martin Cardinal, who acted as Committee clerks over the course of this project, contributed to the success of the Committee's proceedings. Secretarial assistant Marie-Claude Tremblay, dubbed "the Committee's angel", deserves to be commended for her collaboration. The Committee members also wish to thank other members of the National Assembly's administrative personnel, especially Patrik Gilbert, Julie Lagacé, Joan Deraîche, Manon Paré and Marie-Jeanne Gagné of the Communications Directorate, Joël Guy and Christian Croft of the Debates Broadcasting and Publishing Directorate, and Éric Bédard along with the 12 other constables of the Security Directorate who travelled with them on their tour across Québec: Jean-Benoît Bolduc, Benoît Breton, Roger Couture, Alain Duchaine, Martin Duchaine, Denis Gagnon, Jean-Yves Légaré, André Marceau, Francis McKen, Yvan Morency, Éric Rouleau and Olivier Tremblay.

The drafting of this report was entrusted to a committee headed by the Committee's vice-chair, Daniel Turp, in which Alain Gariépy, Marc Painchaud and revisor Danielle Simard were active participants. The Committee members examined the various versions of the draft report in detail and approved the 33 recommendations after thorough, respectful discussions. We would like to highlight the exceptional contribution of MNAs Léandre Dion, Nicole Léger, Pierre Moreau and Dominique Vien to these discussions. We also wish to mention the presence and participation of two Fondation Jean-Charles-Bonenfant interns, Michel Bédard and Magali Paquin.

Last but not least, we would like to thank the individuals and groups that chose to participate in the debate on the future of Québec's religious heritage. They accompanied the members of the Committee on Culture on their journey and inspired the recommendations contained in this report, and we are grateful to them on both counts.

We hope these recommendations will guide the Government, other public authorities, and civil and religious authorities in making the choices and decisions that must be made in order to protect and enhance Québec's religious heritage. And we urge the people and institutions of Québec to believe in their religious heritage, fully ensure its sustainability and prepare the future wisely.

Bernard Brodeur

Member for Shefford
Chair, Committee on Culture

Daniel Turp

Member for Mercier
Vice-chair, Committee on Culture

INTRODUCTION

"The only heritage that will survive is the one we claim."¹ This statement by professor and ethnologist Jean Simard aptly summarizes all the comments and suggestions heard by the Committee on Culture over the course of its initiative on the protection and enhancement of Québec's religious heritage.

This heritage is being claimed, as evidenced by efforts underway in all corners of Québec. People involved in these efforts came to the hearings held by the Committee in Québec, Montréal and the regions to talk, always with conviction and sometimes with emotion, about what they were doing. It is also being claimed through large-scale scientific studies and research such as those conducted by professors Luc Noppen and Lucie K. Morisset.² As well, several international and provincial symposiums on the question of religious heritage have been held in Québec, some of them in parallel with the Committee's proceedings.³ All these efforts and events can likely be tied to the interest Québec's cultural property commission, the Commission des biens culturels, has taken in the same question. The Commission started looking into the matter as early as 1986 and, in 1994, created a working group that later published a report examining the state of Québec's religious heritage and framing policy guidelines.⁴

It was also at that time that the Québec Religious Heritage Foundation was born, out of an initiative by Living Stones, an interfaith heritage association, and that actions were taken for the preservation of religious heritage. The Foundation, a private, non-profit, multifaith corporation, mandated itself to see to the restoration and preventive conservation of religious heritage buildings and of furnishings and works of art with a heritage interest. Between 1995 and 2005, under protocols entered into with the Minister of Culture and Communications and subsequent amendments to these protocols, the Foundation received close to \$150 million to finance religious heritage restoration projects. It also prepared inventories of immovable religious heritage and developed new expertise in this area.⁵

The need for preserving Québec's religious heritage was also acknowledged by the Advisory Committee on Québec's Cultural Heritage Policy,⁶ chaired by Roland Arpin. In its report, the committee proposed the introduction of cooperative strategies for the conservation and development of certain

¹ Jean Simard, "Pour le salut des biens d'Églises", *Continuité* 94 (Fall 2002), p. 52. (Our translation.)

² See Luc Noppen and Lucie K. Morisset, *Les églises du Québec : un patrimoine à réinventer* (Montréal: Presses de l'Université du Québec, 2005).

³ A first international symposium on the future of Québec's churches was held in Québec city on June 5 and 6, 1997. Its proceedings are available in French: Luc Noppen, Lucie K. Morisset and Robert Caron, eds., *La conservation des églises dans les villes centres, Actes du premier colloque international sur l'avenir des biens d'Eglise* (Québec: Septentrion, 1997). A second international symposium was held in the same city from November 12 to 14, 2004. Its proceedings are also available in French: Laurier Turgeon, ed., *Le patrimoine religieux du Québec : entre le cultuel et le culturel* (Québec: Presses de l'Université Laval, 2005). A third international symposium was held in Montréal from October 19 to 22, 2005. It was organized jointly by UQAM's Canada Research Chair on Urban Heritage, the Québec Religious Heritage Foundation, the Montreal Heritage Council and Concordia University. For more information, see <http://www.avenireglises.ca> and the symposium proceedings: Lucie K. Morisset, Luc Noppen and Thomas Coomans, eds., *Quel avenir pour quelles églises? What future for which churches?* (Montréal: Presses de l'Université du Québec, 2006). Another symposium organized by the Institut du patrimoine culturel and Université Laval's faculty of theology and religious studies was held in Montréal from May 15 to 19, 2006, on the richness and vulnerability of the heritage of Québec's religious minorities. Its proceedings will be available online at <http://www.acfas.ca/acfas74/coll327.htm>.

⁴ Commission des biens culturels, *Le patrimoine religieux au Québec* (Québec: Publications du Québec, 1998).

⁵ For an overview of the Foundation's history, see http://www.patrimoine-religieux.qc.ca/fondation/index_e.htm. For information on the Foundation's programs and activities, see http://www.patrimoine-religieux.qc.ca/programmes/index_e.htm.

⁶ Advisory Committee on Québec's Cultural Heritage Policy, *Notre patrimoine : un présent du passé* (Québec: Advisory Committee on Québec's Cultural Heritage Policy, 2000). [For a summary of the report in English, see <http://www.politique-patrimoine.org/html/English/Summary.html>]

types of heritage recognized for their historic and symbolic importance in Québec society.⁷ The report further identified religious heritage as one of the sectors to be consolidated because of its association with the founding of the colony, because it is a reflection of the strong role played by religious organizations from that time on and because it is the most universal, the most diversified, the richest and the most widespread in Québec.⁸ The advisory committee based one of its recommendations on the cultural property commission's 1998 report and some of its elements are echoed in this report.⁹

The Committee has taken note of the many concerns and policy directions formulated in recent years and of the new appeals laid before it by the individuals and groups that submitted briefs or participated in the online consultation. It has found that the people of Québec are truly attached to their religious heritage and that the community of believers are concerned about its future as are all those who care about Québec's heritage. When the representatives of the Montérégie Regional Round Table of the Québec Religious Heritage Foundation appeared before the Committee, they piqued the Committee members' interest by telling them the producer of *The Novena*, Bernard Émond, "repeats at every opportunity how, in spite of his being a non-believer, discovering Québec's religious heritage allowed him to further his own spiritual journey and reacquaint himself with a historical dimension of the people of Québec, namely, the religious history that is part of who we are, whether we are aware of it or not".¹⁰

The Committee members also came to realize that information does not always flow as it should among those fighting to save a piece of our religious heritage. Although a number of briefs cite partnership agreements between the Ministère de la Culture et des Communications (MCC), the dioceses and local or regional municipalities, some lament unilateral decisions and others, a lack of transparency in the consultation process leading up to a decision.

The Committee believes that safeguarding Québec's religious heritage is everyone's concern and requires collaboration among all those interested in the future of that heritage. Ecclesiastical and religious authorities and corporations are the first concerned, given the very nature of the heritage at risk. But the Government must also shoulder its responsibilities and assume its role as a player on some occasions and as a partner on others, as it has especially since 1995 by supporting the Québec Religious Heritage Foundation. Interestingly, religious and government authorities have found a channel for dialogue in the Foundation's board of directors, executive committee and regional round tables, which bring together representatives of the various faith communities in Québec and representatives of the Government. This dialogue, however, is taking place against an increasingly secular background. Still, though Québec is becoming more secular, it is not shunning religion or its religious heritage. This is reflected in the *Charter of human rights and freedoms*, which provides that every person enjoys "fundamental freedoms, including . . . freedom of religion" and that "every person has a right to full and equal recognition and

⁷ *Ibid.*, p. 190.

⁸ *Ibid.*, p. 191.

⁹ *Ibid.*, p. 192. Recommendation 29 reads as follows:

- "that the MCC [Ministère de la Culture et des Communications] continue to make financial commitments to religious heritage for a three-year period;
- that the MCC extend its assistance programs to elements of religious heritage that are not covered at present: archives, plans and photos, unused buildings; funeral heritage and monuments; modern churches of remarkable architectural interest;
- that the MCC allocate part of the funds earmarked as financial assistance to increasing knowledge of and educating stakeholders about Québec's religious heritage, to enhancing and promoting that heritage and to making it more accessible;
- that the public be made more aware of the need to preserve Québec's religious landscape heritage;
- that the creation of regional reserves for the conservation of religious heritage be promoted;
- that the Government introduce a policy whereby the recycling of civil or religious heritage buildings would be promoted before the construction of new buildings". (Translation modified.)

¹⁰ Montérégie Regional Round Table, brief presented on October 13, 2005 (no. 29), p. 11. (Our translation.)

exercise of his human rights and freedoms, without distinction, exclusion or preference based on . . . religion".¹¹ The *Freedom of Worship Act*,¹² for its part, provides that "the free exercise and enjoyment of religious profession and worship, without discrimination or preference, provided the same be not made an excuse for acts of licentiousness or a justification of practices inconsistent with the peace and safety of Québec, are by the constitution and laws of Québec allowed to all persons living within the same". This guaranteed freedom of religion is consistent with the International Covenant on Civil and Political Rights, by which Québec has declared itself bound.¹³

The fact that Québec is becoming more secular is not incompatible with its having laws that deal with religion-related matters and that may have an impact on the protection and enhancement of religious heritage. The *Civil Code of Québec*¹⁴ and the *Code of Civil Procedure*¹⁵ both contain provisions whose application to religious heritage was highlighted in the notorious case involving the religious treasures of L'Ange-Gardien, oft cited before the Committee.¹⁶ A number of other laws govern the activities of religious authorities and may therefore also have an impact on Québec's religious heritage.¹⁷ As a matter of fact, Québec's legislation, and particularly its references to canon law, embodies a model of secularity that the Committee members endorse and feel should be maintained in a society mindful of its religious diversity. On this point, professor Ernest Caparros had this to say:

This canon law *civilizatio* is a very important legal model of collaborative or positive secularity, that is, a secularity that recognizes the religious phenomenon within civil society and stimulates its development. It is interesting to note that France is now closer to this type of secularity. It has moved away from the absolute secularity that sought to banish religion from civil society in the early days after the Revolution, and is now moving toward neutral secularity, also known as open or positive secularity.¹⁸

The Committee is of the opinion that any dialogue between religious and government authorities must be based on this model of secularity, in other words, on collaborative or "dialogue-friendly" secularity, and that the search for solutions to protect and enhance Québec's religious heritage must take this model into account.¹⁹

¹¹ *Charter of human rights and freedoms* (R.S.Q., c. C-12), sections 3 and 10.

¹² *Freedom of Worship Act* (R.S.Q., c. L-2), section 1.

¹³ See sections 18 and 27 of the Covenant, by which Québec has declared itself bound under Order in Council 1438-76 dated April 21, 1976 and which appears in the *Recueil des ententes internationales du Québec* (R.E.I.Q.), (1984-1989), no. 1976 (5), p. 817.

¹⁴ *Civil Code of Québec*, (S.Q. 1991, c. 64), article 2876: "That which is not an object of commerce, not transferable or not susceptible of appropriation by reason of its nature or appropriation may not be prescribed."

¹⁵ *Code of Civil Procedure* (R.S.Q., c. C-25), article 553: "The following are exempt from seizure: (1) Consecrated vessels and things used for religious worship; . . .".

¹⁶ The case is discussed in the brief presented by Municipalité régionale de comté de la Côte-de-Beaupré and the Centre local de développement de la Côte-de-Beaupré, *Les trésors religieux de L'Ange-Gardien*, November 16, 2005 (no. 58). See also Benoît Pelletier, "L'affaire des trésors de L'Ange-Gardien" in Ernest Caparros, ed., *Mélanges Germain Brière* (Montréal: Wilson et Lafleur, 1993), pp. 343-381, and the three decisions handed down by the courts: *Fabrique de la Paroisse de L'Ange-Gardien c. Québec (Procureur général)*, [1980] C.S. 175 (Superior Court of Québec); *Fabrique de la Paroisse de L'Ange-Gardien c. Québec (Procureur général)*, [1987] 8 Q.A.C. 1 at 16 (Court of Appeal of Québec); *Fabrique de la Paroisse de L'Ange-Gardien c. Québec (Procureur général)*, [1987] 87 N.R. 74 (Supreme Court of Canada).

¹⁷ See the *Act respecting fabriques* (R.S.Q., c. F-1), the *Roman Catholic Bishops Act* (R.S.Q., c. E-17), the *Act respecting Roman Catholic cemetery corporations* (R.S.Q., c. C-40.1), the *Religious Corporations Act* (R.S.Q., c. C-71) and the *Act respecting the constitution of certain churches* (R.S.Q., c. C-63).

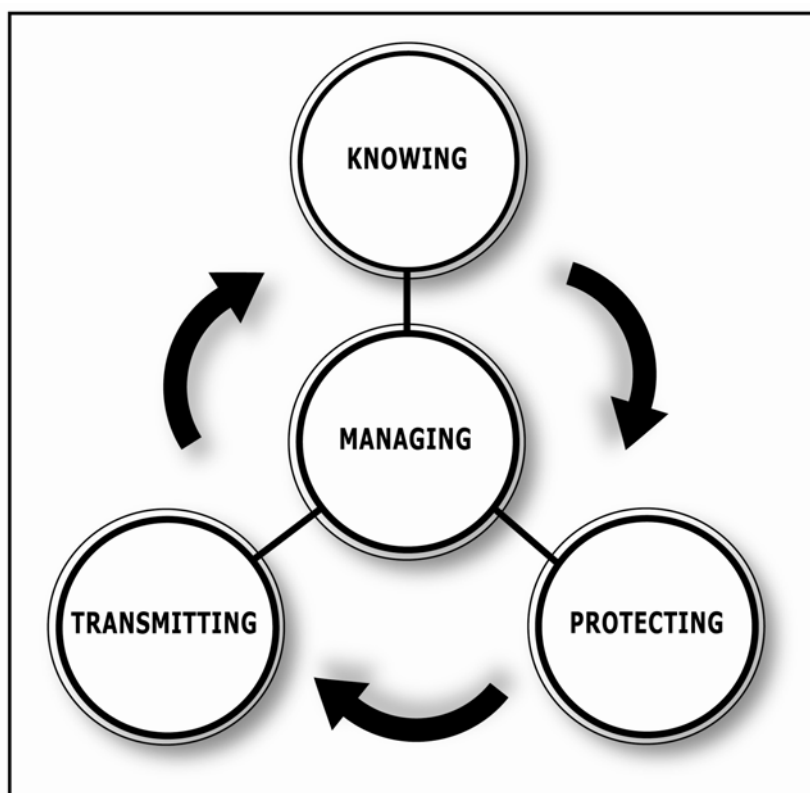
¹⁸ Ernest Caparros, brief presented on January 26, 2005 (no. 109), p. 8. For an overview of how secularity has evolved in France, Caparros refers to Brigitte Basdevant-Gaudemet, "Droit et religion en France", in Ernest Caparros and Louis-Léon Christians, eds., *La religion en droit comparé à l'aube du 21^e siècle* (Bruxelles: Bruylant, 2000), pp. 126-133, and to D. Le Tourneau, *L'Eglise et l'État en France*, Que sais-je? (Paris: PUF, 2000), pp. 114-124.

¹⁹ See Gilles Routhier, "Les enjeux du débat actuel sur le patrimoine religieux", *Argument* 8, no. 2 (spring-summer 2006), p. 43. The author argues that "the fact the Government is secular does not in principle prevent it from supporting the maintenance of religious buildings that play a structuring symbolic role for a community, provided public funds are not used to finance the pastoral or worship activities of a particular religious group". (Our translation.)

Such a dialogue implies an essential collaboration between religious and government authorities, but also a cooperative relationship with other interested players. Regional and local municipalities, educational and research institutions, provincial, regional and local museums, historical societies, heritage conservation groups, community groups and private individuals must also play a role in the protection and enhancement of Québec's religious heritage.

The Committee members believe there should be greater dialogue among the religious authorities, the Government and other stakeholders. Some dialogue has been established and certain regions' efforts toward this end in recent years should be applauded. It is crucial, however, that this dialogue intensify and extend to all the regions so that the main players across Québec feel engaged and get involved.

To support this dialogue and answer the questions it framed in its consultation paper, the Committee on Culture proposes a four-pronged approach based on **knowing**, **protecting**, **transmitting** and **managing** our religious heritage.



Québec's religious heritage

The first section of this report is about **knowing** our religious heritage, as knowledge is the key to informed decisions. One thing is certain: our knowledge is fragmentary. We must therefore develop complete inventories of our immovable religious heritage, conduct inventories of our movable religious heritage and commission a series of surveys to learn more about our intangible religious heritage.

The second section of this report deals with **protecting** our religious heritage. The Committee members recommend a number of measures to that effect, which range from introducing a mechanism for the alienation of religious property, to giving the Government, through appropriate legislation, the power to place "heritage encumbrances" on religious buildings and cemeteries not otherwise protected by law. The Committee members feel that, until these measures are implemented, a moratorium should be placed on the alienation or modification of religious buildings, places of worship, convent complexes, presbyteries, rectories and cemeteries in particular, and that this moratorium should be effective as of the tabling of this report in the National Assembly.

The members of the Committee feel that efforts to better know and protect our religious heritage must be accompanied by initiatives aimed at **transmitting** it to future generations, as discussed in the third section of this report. Finally, the last section focuses on **managing** our religious heritage. It is proposed that the coordination role played by the Ministère de la Culture et des Communications be consolidated and that all government departments, agencies and corporations be called upon to contribute to the preservation of our religious heritage. The main recommendation in that section is that the Québec Religious Heritage Foundation be converted into a Québec religious heritage council. More specifically, the Committee wishes that the new council play a much broader role in the management of Québec's religious heritage. This recommendation is in fact the keystone of the section on the management of Québec's rich religious heritage.

The Committee believes there has never been a better time to find lasting solutions for the preservation of our religious heritage. A number of observers have stressed the timeliness of the Committee's initiative, as demonstrated by the intense interest and high expectations the hearings in Québec, Montréal and the regions generated among the public. The time has therefore come to look at what has come out of these hearings and to make recommendations to help guide the Government and each of us in doing our share for the future of Québec's religious heritage.

1. KNOWING OUR RELIGIOUS HERITAGE

When the Committee set out to examine the future of Québec's religious heritage, it had no idea this heritage was so ill-known. The public hearings revealed that we, as a people, know little about our tangible religious heritage and even less about its intangible dimension. If we are to make informed decisions, therefore, we first need to gain a proper understanding of the religious heritage we wish to protect and enhance.

Religious buildings and sites, though we know little about them, account for the bulk of Québec's overall heritage. They are unique not only because of their artistic and architectural value but also because of their obvious historical significance. And they are deeply entrenched in the built landscape of our cities, towns and villages.

Québec boasts "at least 4,000 religious buildings and institutional complexes with a religious or social vocation".²⁰ This number includes "approximately 2,800 places of worship of all traditions, of which more than 40% [approximately 1,200] have significant heritage value (architectural, artistic, historic) as landmarks in the urban or rural landscape, etc."²¹ These places of worship are spread out across Québec and allow Quebecers of all faiths to practise their religion, individually or in community with others, in worship, observance, practice and teaching (see Schedule 1, Places of worship by region, and Schedule 2, Places of worship by religious faith). Québec's religious heritage also includes the decorative objects and the furnishings in places of worship, in other religious buildings and in convent complexes, as well as the thousands of linear metres of archives collected and kept by ecclesiastical and religious corporations and religious communities.

The exceptional value of this religious heritage and its special place in Québec's history are reflected in the number of religious properties classified, recognized or designated under the *Cultural Property Act*.²² Close to 500 are so protected under the law. They represent more than a third of all protected cultural property.

The Committee is of the opinion that a major province-wide effort to gather information on all aspects of our religious heritage should be undertaken as soon as possible. The purpose of this effort would be to develop complete inventories of tangible religious property in Québec with high priority given to religious archives and organs, to commission a series of surveys of Québec's intangible religious heritage and to promote education and research on Québec's religious heritage.

1.1 Completing inventories of our tangible religious heritage

Inventories are essential for describing the heritage elements of a building or object and for gathering information on practices and rituals that are disappearing from everyday life. Many inventories have been completed in recent years, such as the inventory of places of worship by the Québec Religious Heritage Foundation, the Info-Muse database developed by the Société des musées québécois and the inventory of the heritage properties of 17 religious communities by the Musée des religions de Nicolet.

²⁰ Commission des biens culturels du Québec, *Assurer la pérennité du patrimoine religieux du Québec : problématique, enjeux, orientations*, summary report (Québec, 2000), p. 1.

²¹ Québec Religious Heritage Foundation, *Bulletin d'information* 4, no. 4 (Winter 2005), p. 1, <http://www.patrimoine-religieux.qc.ca/bulletins/pdf/042005.pdf>. (Our translation.)

²² See Schedule 3 for data on immovable and movable religious property protected under the *Cultural Property Act*.

The inventory conducted by the Québec Religious Heritage Foundation has enhanced our knowledge of Québec's built religious heritage. Phase 1, completed in 2003, consisted in identifying places of worship built before 1975. The Foundation enumerated 2,755 religious buildings that were still in use or had been recently closed, all religious faiths and communities combined. This number includes parish churches, places of worship other than Catholic churches, convent and branch chapels, oratories, sanctuaries and pilgrimage sites, but does not include recycled places of worship, private homes used as places of worship or funeral, votive or processional chapels. Phase 2 was begun in 2004 and focuses on the heritage evaluation and regional classification of 1,558 religious buildings inventoried under Phase 1 and built before 1945, which is the cut-off year of the religious heritage restoration program. Despite some criticism about its methodology,²³ the inventory is considered by most of the individuals and groups the Committee heard to be an important tool for an efficient management of religious heritage restoration grants. What is more, it is widely available, as it may be consulted online.²⁴

In contrast, a number of religious communities and some ecclesiastical and religious corporations, particularly the Anglican dioceses,²⁵ confessed they did not know their movable heritage well. This shows how urgent it is to complete the movable heritage inventories already underway and to draw up new inventories of such heritage as archives, organs, stained-glass windows, gold and silver plate, church vestments and funerary objects. But before we go any further, we should take stock of what we know—conduct an inventory of inventories, as it were. This list of inventories should be drawn up in the shortest possible timeframe as it would provide a snapshot of the current situation and help define a clear, coherent strategy.

Recommendation 1

The Committee recommends that the Ministère de la Culture et des Communications draw up, as soon as possible, a list of both completed and pending inventories and create a directory of all inventories of tangible religious heritage, to be updated annually.

In light of the various criticisms levelled at the methodology of some of these inventories, the Committee feels it would be important to identify methodological weaknesses. It would also be important to identify sectors where inventories should be conducted as a priority. This work should be entrusted to an expert committee by a Québec religious heritage council and completed as soon as possible.

Recommendation 2

The Committee recommends that the new Québec religious heritage council use this new inventory list to identify sectors where inventories are most urgently required, set out a recognized methodology and explore the possibility of developing a search tool that would combine the data from all listed inventories.

²³ See Jean-Claude Marsan and Raymonde Gauthier, brief presented on September 20, 2005 (no. 52), and Claude Turmel and Clément Demers, brief presented on September 21, 2005 (no. 7).

²⁴ The inventory is available on the Foundation's website at http://www.patrimoine-religieux.qc.ca/architecture/inventaires_f.htm and on a separate website at <http://www.lieuxdeculte.qc.ca/>. The Foundation has also coordinated an inventory of convent complexes in Montréal. The findings of this inventory are available at http://www.patrimoine-religieux.qc.ca/architecture/liste_alpha_ecmtl.htm.

²⁵ Anglican Dioceses of Montréal and Québec, brief presented on September 20, 2005 (no. 28), p. 16.

As for immovable religious heritage, the Committee has noted that Phase 1 of the inventory carried out by the Québec Religious Heritage Foundation looked only at places of worship still in use or recently closed that were built before 1975, while Phase 2 aims to classify those built before 1945. A number of individuals and groups, especially those from the Saguenay—Lac-Saint-Jean region, reminded the Committee that modern immovable heritage should also be preserved and that it, too, was worthy of interest. In fact, all places of worship no longer in use should be inventoried. The Committee is aware of the existence of certain inventories of the immovable heritage of religious communities, including the one on the island of Montréal coordinated by the Québec Religious Heritage Foundation in 2002, and feels it is urgent that all of Québec's convent complexes be inventoried. Moreover, it would appear that some immovable religious heritage properties, such as presbyteries, rectories and cemeteries, have never been inventoried and it is important that they, too, be catalogued.

Recommendation 3

The Committee recommends that the new Québec religious heritage council complete the inventory of immovable religious heritage as soon as possible by taking stock of places of worship built after 1975, convent complexes located outside Montréal, and presbyteries, rectories and cemeteries throughout Québec.

Given the nature of movable religious heritage, the Committee believes its inventory should be carried out in two phases. The first phase would consist in inviting ecclesiastical and religious corporations and religious communities to take a pre-inventory of the movable heritage they own, using a guide prepared by the new Québec religious heritage council. Parish administrators are already required under canon law "to prepare and sign an accurate and clear inventory of immovable property, movable objects, whether precious or of some cultural value, or other goods, with their description and appraisal; any inventory already done is to be reviewed".²⁶

The second phase would consist in the Québec religious heritage council drawing up an inventory of movable religious heritage once the appropriate assessments have been made based on the pre-inventories and other sources of information.

²⁶ *Code of Canon Law*, Book V, Title II, canon 1283, par. 2, http://www.vatican.va/archive/ENG1104/_P4R.HTM.

Recommendation 4

The Committee recommends that the new Québec religious heritage council draw up, as soon as possible, an inventory of movable religious heritage based on a pre-inventory of the movable religious property of ecclesiastical and religious corporations and religious communities.

1.2 Giving high priority to an inventory of religious archives and organs

The members of the Committee believe that religious archives deserve special treatment. Their work has made them realize that there are enormous disparities between regions in terms of what is being done to protect and enhance religious archives and of how accessible they are. As religious archives are private property, positive dialogue with their owners is essential to maximizing the resources devoted to them.

A religious archives committee consisting of archivists, historians and users from ecclesiastical and religious corporations, religious communities and civil society should be established in collaboration with Bibliothèque et Archives nationales du Québec to advise the Ministère de la Culture et des Communications on actions to be taken in this area. To fully accomplish its mandate, the committee would have to determine which religious archives holdings are of great heritage value. It would also need to assess the current state of religious archives in order to recommend short-, medium- and long-term actions.

Those in charge of the inventory of movable religious heritage could be given an extra job as part of that mandate. As they would be called on to travel across Québec, they could be asked to gather information on religious archives holdings in each region (their general condition, their conservation condition, their accessibility and so on). That information would then enable the religious archives committee to determine priorities and develop an effective, coherent strategy to protect and promote religious archives and preserve them for future generations.²⁷

Recommendation 5

The Committee recommends that the new Québec religious heritage council form a religious archives committee in collaboration with Bibliothèque et Archives nationales du Québec to conduct an inventory of religious archives holdings as soon as possible and develop an effective, coherent strategy to protect and promote religious archives and preserve them for future generations.

²⁷ The Committee found an inspiring example in the KADOC (Documentation and Research Center for Religion, Culture and Society), which successfully combined the conservation of religious archives and scientific research in collaboration with eight faculties of the Katholieke Universiteit Leuven. For more information, see <http://kadoc.kuleuven.be/eng/index.html>.

The members of the Committee believe that organs should also be the focus of special attention. A number of individuals and groups that appeared before the Committee called for an inventory of Québec's heritage organs. The Fédération québécoise des amis de l'orgue (FQAO) explained the urgent need for such an inventory:

The Québec Religious Heritage Foundation has compiled a wonderful inventory that may be consulted online. The descriptions of places of worship given on the Foundation's website often mention whether a place of worship has an organ and sometimes give the name of the organ builder and the opus number. We have noted a number of errors in this inventory and some inaccuracies in reference to pipe organs. The FQAO wonders whether it would not be urgent to inventory Québec's pipe organs and identify those that have an obvious artistic or heritage value. Some very old organs clearly have a heritage value, but it should also be remembered that some more modern instruments of exceptional artistic or musical value are also part of Québec's cultural and musical heritage and deserve equal attention as they marked major, new aesthetic trends in organ building.²⁸

In his brief, which generated a great deal of interest among the Committee members, lawyer Antoine Leduc made comments along the same lines. Recalling the controversy as to whether organs are immovable or movable property under the law, Leduc spoke in these terms of the importance of conducting an inventory:

A classification effort is contingent on an inventory of Québec's organs by recognized experts in the field. At present, no such inventory exists, apart from the one conducted in the Saguenay—Lac-Saint-Jean region by Joseph-Guy Roy. The inventory of places of worship prepared by the Québec Religious Heritage Foundation does not appear to have addressed the task in a satisfactory manner. This fundamental work has yet to be done and must be done.²⁹

The FQAO and Leduc furthermore suggested criteria to be used by the institutions and individuals who would be involved in the organ inventory. They even identified possible institutions and individuals. The Committee is aware that the Québec Religious Heritage Foundation has established an organ committee to advise it in its examination of applications for funding for organ restoration projects under "Volet 1" of its restoration program.³⁰ The organ committee could be involved in this inventory and bring in other experts.

Recommendation 6

The Committee recommends that the new Québec religious heritage council take an inventory of organs across Québec as soon as possible and develop an effective, coherent strategy to protect those with heritage value.

²⁸ Fédération québécoise des amis de l'orgue, brief presented on January 26, 2006 (no. 12), p. 9. (Our translation.)

²⁹ Antoine Leduc, brief presented on September 20, 2005 (no. 50), p. 9. (Our translation.)

³⁰ For more information on the organ committee and the list of its members, see http://www.patrimoine-religieux.qc.ca/programmes/comite_e.htm.

1.3 Commissioning a series of surveys on our intangible religious heritage

If our knowledge of our tangible religious heritage is deficient, our knowledge of our intangible religious heritage is fragmentary. And, as the Groupe de travail sur le patrimoine religieux wrote in its report, “there is no use protecting our religious heritage if its meaning is lost on future generations. We must start inventorying the knowledge and skills of our ‘tradition bearers’, those who can still name heritage objects and say what they were used for”.³¹

Almost 10 years later, the measure suggested by the working group has still not been implemented. Meanwhile, on October 17, 2003, the General Conference of UNESCO adopted the Convention for the Safeguarding of the Intangible Cultural Heritage, which came into force on April 20, 2006. The purpose of the Convention is to safeguard oral traditions and expressions, including language as a vehicle of intangible cultural heritage, performing arts, social practices, rituals and festive events, knowledge and practices concerning nature and the universe, and traditional craftsmanship. The States that are party to the Convention have undertaken to take the necessary measures to safeguard the intangible cultural heritage present in their respective territories and to identify and define its various elements, with the participation of the communities and groups that create, maintain and transmit it. The Convention also provides for an international cooperation and assistance mechanism.³²

The Committee believes it would be useful, within the scope of its review—which is narrower than that of safeguarding all cultural heritage—to conduct an inventory of Québec’s intangible religious heritage with the participation of the communities and groups that create, maintain and transmit it.

Conducting such an inventory would remedy a situation often lamented during the public hearings. As Diane Audy, an ethnologist specializing in religious heritage, pointed out, “the Government has invested a mere \$28,000 for the safeguarding of intangible religious heritage, in two one-shot projects, versus \$135 million for the restoration of buildings and works of art.”³³ She went on to say:

It is urgent that something be done to record these valuable accounts. The main players are 80 years old on average and with old age comes increasingly fragile health. It is therefore highly urgent that we take the necessary steps to collect the stories of those who built and used our places of worship, which are the tangible expression of their faith; of those who built our monasteries, hospitals, schools, alms houses, etc., which are tangible witnesses to the charisma of their founders; of those who made and used various objects to meet community and religious needs or made objects to be given to the public as part of various charity works. We have very little time—five years, ten years at the very most—to collect valid accounts. Those who experienced religious life before Vatican II and the changes that came out of Vatican II have no successors to whom they can transmit their knowledge and skills. There are no novices with whom they can talk about the current situation, which calls for a completely new approach to managing a heritage that was formerly simply passed down from one generation to the next.³⁴

³¹ Jean Simard, *Le patrimoine religieux du Québec : Exposé de la situation et orientations* (Québec: Les Publications du Québec, 1998), p. 52. (Our translation.)

³² For more information on the Convention for the Safeguarding of the Intangible Cultural Heritage, see http://portal.unesco.org/culture/en/ev.php-URL_ID=16429&URL_DO=DO_TOPIC&URL_SECTION=201.html.

³³ Diane Audy, brief presented on November 10, 2005 (no. 64), p. 8. (Our translation.)

³⁴ *Ibid.*, p. 6. (Our translation.)

The Committee members fail to understand why some projects aimed at safeguarding intangible heritage were abandoned. The example given by Audy is a telling one:

The same happened with the project we set up for the Commission des biens culturels du Québec (CBC) in 1999 to safeguard the intangible heritage of religious communities. The project was a direct offshoot of a mandate we received from the CBC. We had conducted a massive survey of the religious communities to find out whether they intended to participate in a major oral heritage project. Most of the communities completed our questionnaire and expressed a keen interest. Again, unfortunately, the project fell through. It's still sitting on a shelf.³⁵

The Committee believes this situation must be remedied in the short term. The time has come to continue the work of Félix-Antoine Savard, Marius Barbeau, Luc Lacoursière and Jean Simard, to name only a few, who were the first to inventory Québec's oral traditions and traditional practices. We agree with the members of the Groupe de travail sur le patrimoine religieux that:

To record and study our intangible religious heritage, we must conduct a series of surveys of the players involved, not all of whom are members of the clergy. We need to consider the accounts given by laypeople who have actively served the churches through such organizations as Catholic Action groups and youth movements in particular, those given by the elders of Protestant communities, who are the keepers of traditions centred on the Bible, education and volunteer work, and those given by the heads of Jewish families, who transmit the memory of the liberation.³⁶

Recommendation 7

The Committee recommends that the new Québec religious heritage council coordinate a series of surveys of Québec's intangible religious heritage as soon as possible and develop, in collaboration with educational institutions and museums and with the participation of the communities and groups that create, maintain and transmit it, an effective, coherent strategy to promote knowledge of, protect and transmit this heritage.

1.4 Promoting education and research in the field of religious heritage

The Committee believes that any efforts to improve our knowledge of our religious heritage will be in vain if no resources are earmarked for education and research. Why protect our religious heritage if, in future, only a handful of initiates are able to interpret it? Measures must be put in place now to encourage teachers, researchers and students to take an interest in this heritage.

An integrated religious heritage studies program would be a good idea, in the Committee's opinion. Such a program would, for example, give ethnology students the opportunity to conduct oral surveys, history students, to interpret the findings of these surveys, archival management students, to preserve them, and museology students, to present them. The Committee feels it is time to start thinking about setting up such a program.

³⁵ *Ibid.*, p. 7. (Our translation.)

³⁶ Jean Simard, *Le patrimoine religieux du Québec*, p. 52. (Our translation.)

Recommendation 8

The Committee recommends that higher education institutions introduce an integrated religious heritage studies program for students in history, art history, ethnology, architecture, museology, archival management and related disciplines.

Educating those who will manage our religious heritage is also important. A number of the groups that appeared before the Committee noted a lack of expertise among decision-makers at the local, regional and provincial levels. Tools must be developed to help decision-makers make better-informed decisions.

Recommendation 9

The Committee recommends that the new Québec religious heritage council develop a religious heritage education program for local, regional and provincial decision-makers.

Moreover, higher education institutions must be made aware of the importance of training religious heritage researchers. The Ministère de l'Éducation, du Loisir et du Sport could play a greater role in this respect. Scholarships should be awarded to encourage graduate students to specialize in religious heritage studies. Stimulating research in this way would have a positive impact on our knowledge of and the protection and transmission of our religious heritage. The greater the number of young researchers who develop an interest in this heritage, the easier it will become for organizations in the field to recruit competent personnel.

Recommendation 10

The Committee recommends that the Ministère de l'Éducation, du Loisir et du Sport, in cooperation with the Fonds québécois de la recherche sur la société et la culture and higher education institutions, grant scholarships to graduate students who choose religious heritage as their field of study.

The members of the Committee believe that knowledge is a prerequisite for determining what other measures should be adopted in order to secure the future of our religious heritage, for it is through inventories and surveys that we will be able to identify which elements of our religious heritage must be safeguarded and which protection and enhancement measures must be applied.

2. PROTECTING OUR RELIGIOUS HERITAGE

It is important to know our religious heritage and essential to protect it. Throughout its proceedings, the Committee noted that Quebecers are truly willing to support measures to perpetuate Québec's religious heritage. It also witnessed a debate on the ownership of places of worship and other elements of religious heritage. The Committee recognizes the right of ownership of ecclesiastical and religious corporations over their property, but is also convinced of the need to adopt measures on the alienation (i.e. disposition) and use of religious buildings and cemeteries, to create an alienation mechanism and to place heritage encumbrances on certain buildings and cemeteries.

2.1 Recognizing the right of ownership of ecclesiastical and religious corporations

The issue of who owns places of worship and other religious property was at the heart of the Committee's discussions. From the very first hearings held by the Committee, representatives of the Catholic clergy stressed the importance of making a distinction between collective heritage and collective or public property. Although they acknowledged that places of worship are public spaces for public use, they asked that it be clearly recognized and respected that they are privately owned. The spokespersons of the Archdioceses of Québec and Montréal, and to a lesser extent those of the Assembly of Catholic Bishops of Québec, were nonetheless open to the idea that the future of places of worship be discussed in a wider forum. The representatives of the Protestant clergy also pleaded for the recognition of their right of ownership over their religious property and showed the same openness as the Catholic religious authorities.

Professor Ernest Caparros criticized the expression "collective heritage", which implies that the alienation of Church property could be decided, in part, outside the Church.³⁷ Conversely, professors Luc Noppen and Lucie K. Morisset along with other groups argued that Québec's churches belong to the people.

"Unlike churches, religious residences are private property."³⁸ The Committee wishes to revisit this statement from its consultation paper as it leaves room for interpretation and could be thought to imply that churches are public property. The Committee members want to dispel any doubt and to emphasize that, under the law as it currently stands, places of worship are not public property. The *Act respecting fabriques*³⁹ and the *Religious Corporations Act*⁴⁰ are very clear on that point.

³⁷ Caparros states the following on page 8 of the brief he presented on January 26, 2006 (no. 109): "Unfortunately, these terms [collective heritage and collective property] are sometimes confused, especially when a church has a noble past or provides a stunning architectural backdrop for works of art. A host of people from different quarters then step forward to tell church authorities how they should go about closing or alienating such a church. Curiously, a number of these organizations or people, though they jealously guard their own ownership rights, more or less explicitly claim that churches are the property of no one save 'the people'. Some have little or no interest in worship at that church and have never made contributions toward its needs. But still, these groups or organizations feel they should have a say in decisions. And yet they are sometimes much less willing to loosen any purse strings they control and provide funds toward the renovation of such heritage buildings." (Our translation.)

³⁸ National Assembly of Québec, Committee on Culture, *Québec's Religious Heritage—Proceedings Initiated by the Committee on Culture of the Québec National Assembly*, consultation paper (Québec, 2005), p. 18.

³⁹ Section 13 of the *Act respecting fabriques* unequivocally stipulates that churches are the property of the *fabriques*: "a *fabrique* is an ecclesiastical corporation whose object is to acquire, possess, hold and administer property for the practice of the Roman Catholic religion in the parish or chapel for which it is constituted."

Ecclesiastical and religious corporations are legal persons.⁴¹ All of them have a patrimony of which they are the sole owners.⁴² They may acquire and alienate property.⁴³ To alienate property, they must often first obtain authorization from the competent religious authorities as required under the law and under ecclesiastical law. In the case of a *fabrique*, for example, the bishop and the pastor and churchwardens that form the *fabrique* may not act independently of one another. The corporation must, by resolution, declare its intention to alienate property, appoint a person (often the pastor of the *fabrique*) to act as mandatary for the alienation, and obtain the bishop's authorization before going ahead with the alienation.⁴⁴ This is how the law currently stands, as confirmed by unanimous jurisprudence.⁴⁵ From this, the members of the Committee conclude that ecclesiastical and religious corporations are the sole owners of their property and that they may alienate their property as prescribed by civil law and, in the case of sacred property, by canon law.

On the same matter, the Committee also wishes to respond to the submission that the true owners of a church are the parishioners who, over the years, have paid to build and maintain it through their donations. According to this submission, ownership of the *fabrique* would be "dismembered" in favour of the parishioners and the role of the *fabrique*, reduced to that of trustee of "its" property.

We respectfully hold that this claim is not supported in law, as

- (1) it is contrary to clear substantive law;⁴⁶
 - (2) it is contrary to civil law regarding sacred property;⁴⁷
 - (3) it would give parishioners' donations a legal effect that is inconsistent with the rules of law that apply to donations, as a donation does not give the person making it any rights over the patrimony of the person receiving it;⁴⁸ and
 - (4) it ignores the provisions of the Civil Code according to which only usufruct, use, servitude and emphyteusis are legal dismemberments of the right of ownership and are real rights.⁴⁹
- While this list could also include other innominate real rights entailing the dismemberment of the right of ownership, such rights cannot exist without an agreement, and no agreement may exist without the parties' mutual, validly given consent.

The rules of law governing the ownership of the property of ecclesiastical and religious corporations are the reflection of Québec's distinct historical and legal context. The legislative corpus recognizes the importance of our religious institutions and of the historical role they have played in our society.

⁴⁰ Section 8 of the *Religious Corporations Act* provides that "such corporations may exercise . . . the following powers: (a) acquire and alienate property by gratuitous or onerous title;"

⁴¹ *Act respecting fabriques* (R.S.Q., c. F-1), section 1, paragraph *g*, and section 10; *Religious Corporations Act* (R.S.Q., c. C-71), section 1, paragraph *b*, and section 3; *Act respecting the constitution of certain churches* (R.S.Q., c. C-63), section 1; *Roman Catholic Bishops Act* (R.S.Q., c. E-17), section 1, paragraph *c*, and section 3.

⁴² *Civil Code of Québec* (S.Q., 1991, c. 64), article 2.

⁴³ *Act respecting fabriques* (R.S.Q., c. F-1), section 18; *Religious Corporations Act* (R.S.Q., c. C-71), section 8; *Act respecting the constitution of certain churches* (R.S.Q., c. C-63), section 5; *Roman Catholic Bishops Act* (R.S.Q., c. E-17), section 10.

⁴⁴ *Fabrique de la Paroisse de L'Ange-Gardien c. Québec (Procureur général)*, [1987] A.Q. 851 (C.A.), par. 66 (J. Malouf).

⁴⁵ *Fabrique de la Paroisse de L'Ange-Gardien c. Québec (Procureur général)*, [1980] C.S. 175, pp. 92-97; *Fabrique de la Paroisse de L'Ange-Gardien c. Québec (Procureur général)*, [1987] A.Q. 851 (C.A.), par. 47 (J. Malouf).

⁴⁶ *Act respecting fabriques* (R.S.Q., c. F-1), section 18; *Religious Corporations Act* (R.S.Q., c. C-71), section 8; *Act respecting the constitution of certain churches* (R.S.Q., c. C-63), section 5; *Roman Catholic Bishops Act* (R.S.Q., c. E-17), section 10.

⁴⁷ *Code of Civil Procedure* (R.S.Q., c. C-25), article 553, 1st paragraph, subparagraph 1; *Civil Code of Québec*, art. 2876.

⁴⁸ *Civil Code of Québec*, articles 1807 and 1822.

⁴⁹ *Civil Code of Québec*, article 1119, subject to real rights under other laws such as the *Mining Act* (R.S.Q., c. M-13.1).

The issue of the ownership of religious property garnered so much attention because it is closely tied to the process of deciding which places of worship are to be kept and which are to be alienated. The real issue, in the Committee's view, is not so much the ownership of places of worship, but the alienation rights associated with ownership. Ownership of a thing implies the power to dispose of the thing (*abusus*).⁵⁰ And it is this right of say in the future of religious property that citizens, municipalities and even the Government are claiming. The municipalities and the Government do not deny that, according to the rules of civil law, the ecclesiastical and religious corporations are the sole true owners of places of worship.

The Committee has observed that citizens are not claiming actual ownership of buildings, but rather the right to be involved in decisions about the conversion of buildings to which they are attached. The municipalities, for which land development is a key concern and cultural tourism is an avenue worth exploring, want to be informed and consulted before a religious landmark is closed, sold or demolished. The Government, which subsidizes the restoration of places of worship, also claims the right to participate in decisions as to what places of worship are to be kept.

The examples submitted by the representatives of Saint-Pierre-Apôtre Church⁵¹ (Montréal hearings) and Saint-Julien Church in Lachute⁵² (Gatineau hearings) and by the committees to save Saint-Laurent Church⁵³ and Sainte-Amélie Church⁵⁴ (Saguenay hearings) aptly illustrate the situation. In all of those cases, the decision to close a church or use it for other purposes than worship did not gain public support because it was made hastily and behind closed doors. "The Church is not a democracy but its decisions must be democratic."⁵⁵ This statement by a member of the committee to save Saint-Laurent Church sums up the general mood: Quebecers want a transparent decision-making process that allows for broader consultation among members of the public and other stakeholders.

Many of the individuals and groups the Committee heard from called for more or less substantial changes to the *Act respecting fabriques*. Overall, these changes reflect a desire that the community—whether practising or not—be involved in decisions about the future of church buildings. Among the changes requested, the following are noteworthy:

- broadening the composition of the *fabrique* board and of the decision-making bodies of other religious corporations to make them more representative and "dynamic";
- reducing the unilateral powers of bishops and other religious authorities regarding the alienation of religious property;
- reviewing the property alienation process to include mandatory prior public consultations.

⁵⁰ The right of ownership has three attributes: *usus*, *fructus* and *abusus*. *Usus* is the right to use the property owned, *fructus* is the right to enjoy the fruits or proceeds of the property, and *abusus* is the right to dispose of the property (i.e. to donate, sell or demolish it, and so on).

⁵¹ Les Pierres vivantes de Saint-Pierre-Apôtre, brief presented on September 20, 2005 (no. 54).

⁵² Comité de sauvegarde de l'église Saint-Julien de Lachute, brief presented on September 29, 2005 (no. 71).

⁵³ Comité de sauvegarde de l'église Saint-Laurent, brief presented on October 27, 2005 (no. 106).

⁵⁴ Comité de défense de l'église Sainte-Amélie, brief presented on October 27, 2005 (no. 101).

⁵⁵ See comment by Serge Létourneau, Committee on Culture, *Journal des débats*, October 27, 2005, 2 p.m. (Our translation.)

The spokespersons of the Diocese of Québec put their finger on the problem when they appeared before the Committee on November 2, 2005 and recognized that the issue of the ownership of church buildings had been amplified by certain unilateral decisions.⁵⁶

The Committee considers that the issue of ownership does not require radical solutions and rejects the idea put forward by some to “nationalize” places of worship. The right of ownership is a fundamental right guaranteed by section 6 of the *Charter of Human Rights and Freedoms* and no property may be expropriated without fair financial compensation. Moreover, the Committee feels that nationalizing places of worship and other religious property as has been done in France would likely dampen citizens’ initiatives to preserve them and stifle the involvement of current owners and local stakeholders in such efforts. Also, the Committee members who travelled to Belgium and France on a study mission were able to see first-hand the limitations inherent in state ownership of places of worship and sacred objects. Nationalizing religious property can result in fewer local initiatives, higher maintenance costs as the task of maintaining buildings is no longer assumed by volunteers, and more red tape.

The Committee proposes two measures to safeguard Québec’s religious heritage, even if such measures will likely affect ownership rights. The Committee wishes that a framework be set up for the alienation of religious buildings and cemeteries. In addition, the Committee feels it is necessary that the Government be authorized to impose protection servitudes on religious buildings, to be known as “heritage encumbrances”.

In short, in the view of the members of the Committee, the ownership rights of the ecclesiastical and religious corporations should be recognized, but the problems surrounding the alienation of places of worship and other religious property should be resolved so that information is adequately circulated and citizens who care are given an opportunity to get involved and help safeguard the buildings or sites concerned. But a preliminary measure is necessary to truly safeguard Québec’s religious heritage and that measure consists in imposing a moratorium.

2.2 Adopting measures concerning the alienation and use of religious buildings and cemeteries

The urgent need for action was emphasized many times during the Committee hearings. Numerous examples and statistics were cited to illustrate that Québec’s religious property is already in a critical state and is likely to deteriorate in the near future. Without minimizing the current situation and the need for concrete action, some participants cautioned against rushed measures. Many expressed the opinion that the future of our religious heritage warrants reflection and should not be decided hastily. Among them, Noppen and Morisset proposed 2010 as the target date for introducing measures to protect our religious heritage and, particularly, places of worship.

⁵⁶ In the words of Auxiliary Bishop Jean-Pierre Blais, “Ownership has become a burning issue because of decisions that were made unilaterally without taking into account how church buildings are used by people or by the community as a whole. In other words, we count the community in when it’s time to pay the bills, but count it out when it’s time to make decisions and look only to the *fabrique* and the churchwardens. . . . That’s where the real problem lies. And in my view, that’s the problem we need to address and not just the issue of ownership.” Committee on Culture, *Journal des débats*, November 2, 2005, 11 a.m. (Our translation.)

To meet the paradoxical need for immediate action and deliberate reflection, some suggested imposing moratoriums. We would thus give ourselves means of preventing religious buildings or sites from being abandoned and time to think, as a society, about the new ways in which we could use those we want to keep in our heritage landscape.

The Committee shares some of the views it heard and considers that the first step should be to impose a moratorium on the alienation and modification of religious buildings. We need a hiatus if we are to put sustainable solutions in place. A moratorium would provide an opportunity to complete pending inventories and conduct new ones, including inventories of convent complexes, presbyteries, rectories and cemeteries. The moratorium should be ordered as soon as possible and be effective from the date this report is tabled so that it would also apply to changes in ownership between that date and the coming into force of the legislative provisions imposing it. It should be noted here that when the *Act respecting the preservation of agricultural land and agricultural activities*⁵⁷ was passed in 1978, its agricultural land preservation provisions were likewise retroactive. This agricultural “moratorium” was imposed to prevent speculation and affected the lands that had the best agricultural potential and were most at risk.⁵⁸

The Committee members furthermore believe that the moratorium should be province-wide just as Québec’s religious heritage is province-wide, and while a heritage element may not have any historical or artistic value, it may have significant community value. The moratorium should last for the time needed to make the legislative amendments proposed by the Committee and complete the inventory of immovable religious heritage. The Committee judges that it should therefore remain in force until January 1, 2008. Until then, owners would be under the obligation to maintain heritage property and prevent its deterioration.

Recommendation 11

The Committee recommends that a Québec-wide moratorium be instituted as soon as possible on the alienation and modification of religious buildings and cemeteries, effective from the tabling of this report to January 1, 2008.

The moratorium should be coupled with measures applying to the construction of new buildings by public authorities. It seems only natural—and many have said as much before the Commission—to expect public authorities to do their part to safeguard religious buildings that are landmarks even if they are no longer used for worship. It seems reasonable, therefore, to require public authorities to examine the possibility of converting decommissioned religious buildings before building new facilities meant for public or community use. As efforts to find new uses for several religious buildings are currently underway and this situation is likely to become more prevalent in the next few years, the Government and public and parapublic bodies must help recycle heritage buildings that have outlived their initial purpose.

⁵⁷ *Act respecting the preservation of agricultural land and agricultural activities* (R.S.Q., c. P-41.1).

⁵⁸ See the speech delivered by Jean Garon on the second reading of the French version of Bill 90, *An Act to preserve agricultural land*, *Journal des débats*, November 16, 1978, p. 3778.

Recommendation 12

The Committee recommends that the Government and public and parapublic bodies be required to consider using religious buildings with heritage value before building or leasing new facilities.

This policy should also be adopted by Québec's municipalities and school boards. Thus, before earmarking public funds for the construction of public service buildings, the competent authority would be required to show that no available heritage buildings could be adapted for the intended use.

A similar moratorium for movable religious heritage, religious works of art and archives in particular, would be much too difficult to impose and it would be especially difficult, even impossible, to enforce. Even so, the Committee feels it is important to put transitional measures in place to safeguard movable religious heritage. Agreements between the Government and the owners should be favoured over a moratorium in this instance. The Committee is of the opinion that the Ministère de la Culture et des Communications should negotiate agreements on the alienation of movable religious property, works of art and archives with ecclesiastical and religious corporations and religious communities. The terms of these agreements could be based on the time needed to complete the inventory of movable religious heritage.

Recommendation 13

The Committee recommends that the Ministère de la Culture et des Communications negotiate agreements on the alienation of movable religious property, works of art and archives, for a term possibly based on the amount of time required to complete the movable religious heritage inventory.

2.3 Introducing a mechanism for the alienation of buildings and cemeteries

At present, the *Cultural Property Act* protects many religious buildings of great heritage value. Once the inventories of places of worship, convent complexes, presbyteries, rectories and cemeteries are completed, other religious property will doubtless qualify for protection under the Act. But while the purpose of the Act is to protect buildings of great heritage value, the Committee's goal is to protect as great a number of religious buildings as possible. To that end, the Committee proposes that a mechanism for the alienation of religious buildings and cemeteries be introduced through appropriate legislation. This mechanism would protect buildings of local or regional heritage value and allow municipalities to keep such buildings for use by the community. It could be broadly outlined as follows:

- 1- The owner of a religious building or cemetery intending to alienate or demolish it would be required to give 12 months' public notice. During those 12 months, anyone interested in the property could approach the owner to negotiate an agreement. At the end of the 12 months, the owner would be required to disclose the transaction to be concluded with the prospective buyer.

- 2- Before concluding the transaction, the owner would be required to give 60 days' notice. During those 60 days, interested public authorities (the Government, regional county municipality or local municipality) could exercise a right of first refusal under which they could acquire the building or cemetery on the same terms as those negotiated in the projected transaction.
- 3- A mandatory public information meeting would be held within 90 days after the date of the public notice of intention to alienate or demolish the building or cemetery. At this meeting, the new Québec religious heritage council would provide information on the heritage value of the building or cemetery. The Committee feels that regional county municipalities should be in charge of calling and holding such meetings, given their expertise and neutral status. The costs involved in these meetings would be borne by the owner.

The proposed mechanism is based on the public consultation procedure set out in a joint declaration signed by the city of Québec, the Diocese of Québec and the Ministère de la Culture et des Communications, and on the joint policy to support efforts to save the churches of the Portneuf region. Both the declaration and the policy were often cited during the public hearings as models to be followed in all of Québec's regions, the main reason being that they both require the publication of a notice of intention and a public consultation.

Recommendation 14

The Committee recommends introducing, through appropriate legislation, a mechanism for the alienation of religious buildings and cemeteries.

2.4 Placing "heritage encumbrances" on buildings and cemeteries

Under the proposed alienation mechanism, information about projected transactions would be made public and the community would be involved in finding new uses for religious buildings and cemeteries. The Committee nevertheless believes an additional measure is necessary: the Government should have the power to protect buildings or cemeteries or parts of them through "heritage encumbrances". The concept of heritage encumbrances was inspired by conservation easements and, more specifically, those introduced by the *Ontario Heritage Act*⁵⁹ and managed by the Ontario Heritage Trust.

This power would allow the Government to have an encumbrance registered, at any time, against the title of ownership of a religious property to preserve a specific heritage element. The heritage encumbrance could preserve the integrity of a building or cemetery, for example, or protect more vulnerable features such as organs, stained-glass windows, sculptures and other ornaments.

⁵⁹ *Ontario Heritage Act* (R.S.O. 1990, c. 0.18). "Conservation easements offer a flexible, effective way for heritage-minded property owners to ensure the sympathetic care and preservation of these heritage resources for the benefit of future generations . . . They provide provincial recognition of the heritage value of a property; identify a heritage building's historical significance and the architectural details and features that comprise the property's unique heritage character; . . . [and] ensure that good stewardship practices continue to each subsequent owner." Ontario Heritage Foundation, http://www.heritagefdn.on.ca/userfiles/HTML/nts_1_2892_1.html.

The heritage encumbrance would remain attached to the title of ownership for as long as the Government considers appropriate. The Committee feels this measure would prove effective in helping it reach its goal, which is to protect religious heritage within the law as it currently stands. Heritage encumbrances with their attendant *droit de suite* would ensure continued protection of significant heritage elements, even when the encumbered property is transferred to a subsequent owner. In this way, a heritage encumbrance could be imposed on a place of worship that is not of significant provincial, regional or local heritage value and therefore not protected under the *Cultural Property Act*, but whose stained-glass windows are of undeniable heritage value, in order to protect their integrity.

Recommendation 15

The Committee recommends that the Government institute legislative means of registering “heritage encumbrances” against the titles of ownership of religious buildings or cemeteries in order to preserve religious heritage elements not protected under the *Cultural Property Act* or other legislation.

Measures to promote knowledge of and protect our religious heritage will ensure its sustainability only if accompanied by measures to enhance it and transmit it to future generations.

3. TRANSMITTING OUR RELIGIOUS HERITAGE

Although Quebecers are generally preoccupied by the fate that awaits places of worship and other religious property in their immediate environment, they tend not to attach much importance to other elements of religious heritage and seem rather unaware of the major role churches and religious communities have played in Québec's history.

Throughout the course of the public consultations, a large majority of participants underscored the importance of raising the public's awareness of the rich religious heritage that has shaped Québec. Many passages in the various briefs submitted illustrate the impact our religious heritage has had on our collective identity. The following excerpt eloquently conveys the significance of that heritage:

Rural Québec comes across as a land literally colonized by the heavens. One need only examine a road map to see that many place names speak of the great beyond . . . However, place names alone do not account for the image we have of Québec: all of its built landscape is marked by sacred symbols. Were we to plot them on a map, centres and peripheries would emerge everywhere. In the centre, the parish church and its dependencies: the presbytery or rectory, the cemetery, the church hall and the girls' and boys' schools. The cluster of parish buildings is the traditional centre of spiritual government and structures the surrounding landscape: it is its heart when it isn't also its summit. The centre of the system also includes convents and their gardens and forested areas, which are true urban parks and "lungs" that supply fresh air to those who live nearby.⁶⁰

Moreover, the hearings held by the Committee have highlighted that citizen commitment is the vital ingredient of successful efforts to safeguard heritage property. A building that has lost its primary purpose stands little chance of being preserved if the people who live nearby or are attached to it take no interest in protecting it and play no part in enhancing it. No matter whether a building is of a religious nature or great heritage value, it will be preserved only if it has a specific use. This use value is at the heart of the religious heritage issue since it is usually because a building has lost its primary use that its preservation has become a problem.

It is therefore very important that all citizens be educated about the major role of religious heritage in Québec's history and its central place in the urban and rural fabric. This role and place will endure only if we take care to pass our religious heritage on to future generations by supporting efforts to enhance it, promoting religious tourism and raising public awareness.

⁶⁰ Commission franco-québécoise sur les lieux de mémoire communs and Société québécoise d'ethnologie, brief presented on January 24, 2006 (no. 18), p. 3. (Our translation.)

3.1 Supporting religious heritage enhancement efforts

We must support measures to enhance our religious heritage if Quebecers are to embrace it more fully. Despite laudable efforts by groups, museums and local bodies, enhancement projects have clearly been insufficient to date.

There are a number of religious heritage enhancement and interpretation initiatives in Québec, such as the interpretation activities offered by Mission patrimoine religieux⁶¹ and the Corporation du patrimoine et du tourisme religieux de Québec⁶². Such initiatives are, however, chronically underfunded and the Committee feels they should instead be encouraged. One possible solution would be to broaden assistance to existing institutions whose mission includes enhancing religious heritage, such as parish *fabriques*, religious corporations and communities, national and regional museums—with their rich collections of sacred art—,local history societies, and citizen groups which, with scarce resources, endeavour to celebrate their local heritage. All in all, it is time to consider better supporting such initiatives. On that subject, the Corporation du patrimoine et du tourisme religieux de Québec and Mission patrimoine religieux recommended that a portion of the money invested in religious heritage be earmarked for its enhancement, promotion and greater accessibility.⁶³

More specifically, Mission patrimoine religieux asked that the Ministère de la Culture et des Communications support the establishment of “regional reserves” in existing museums, convents and vacant places of worship so that objects owned by religious communities that have deeply marked the landscape and history of any given region may be conserved locally. In fact, many of the people heard by the Committee argued in favour of on-site enhancement of movable religious heritage. Professor Jean Trudel proposed that a joint committee bringing together the Ministère de la Culture et des Communications, the Québec Religious Heritage Foundation and the Société des musées québécois be established to study the role regional museums could play in the preservation and enhancement of religious heritage in its natural environment, and that a pilot project be instituted.⁶⁴

The Committee also feels that museums should be designated as places to preserve and disseminate our religious heritage and recognized as “beacons of Québec's religious and collective memory”, to borrow a lovely phrase from the director of the Musée des religions de Nicolet.⁶⁵ Museums and, in particular, regional or local ones, should play a key role in efforts aimed at enhancing Québec's religious heritage.

To sum up, religious heritage enhancement must focus on two areas: the interpretation of religious buildings and cemeteries, and the preservation and enhancement of movable, archival and immovable religious heritage. Of course, it is possible and maybe even desirable to combine these two aspects. However, we must bear in mind that places of worship, presbyteries, rectories and convent complexes are not necessarily the best places to preserve works of art and archives.

⁶¹ Mission patrimoine religieux, brief submitted on November 10, 2006 (no. 15).

⁶² Corporation du patrimoine et du tourisme religieux de Québec, brief submitted on November 10, 2006 (no. 65).

⁶³ Corporation du patrimoine et du tourisme religieux de Québec, brief presented on November 10, 2006 (no. 65), p. 9.

⁶⁴ Jean Trudel, brief presented on September 20, 2005 (no. 1), pp. 14-15.

⁶⁵ Musée des religions, brief submitted on November 9, 2005 (no. 53), p. 10. (Our translation.)

Recommendation 16

The Committee recommends that a portion of the funds granted by the new Québec religious heritage council be reserved for

- 1- enhancing and interpreting heritage religious buildings and widening their accessibility;**
- 2- enhancing the movable heritage and sacred art collections conserved in our museums;**
- 3- enhancing and disseminating religious archives and widening their accessibility;**
- 4- enhancing and disseminating intangible religious heritage, particularly that held by religious communities.**

3.2 Promoting religious tourism

During the public hearings held by the Committee, several groups, in particular the representatives of the Montréal and Québec Anglican dioceses, contended that the enhancement of religious heritage must be seen as an investment, as it generates substantial economic benefits, particularly in the area of tourism. It is a fact that tourism development organizations are noticing a substantial and ever-growing increase in demand in the religious heritage sector. "Religious tourism has become a form of cultural tourism. There are now two types of pilgrims, those in search of a spiritual experience and those in search of knowledge."⁶⁶

In that context, the Committee feels that Québec could reap greater benefit from the many splendid religious heritage elements present in its territory. Preservation and enhancement efforts must go toward improving the tourism supply, but also toward developing new sources of revenue. The principle is simple: the more effort we put into enhancing and disseminating our religious heritage, the stronger the demand will grow and the larger the benefits will be in terms of revenues and job creation.

Among the measures that could be adopted, the Committee favours those that would create a network of enhancement initiatives. Professors Luc Noppen and Lucie K. Morisset also stated their preference for the creation of an organization to promote Québec churches as tourist attractions that would resemble a cooperative or non-religious association based on the model of the Société des établissements de plein air du Québec (Sépaq).⁶⁷ The idea of a "Sépaq for churches" was also supported by the representatives of the Augustine Sisters of Québec, who wished to see the concept include convents and monasteries.⁶⁸ While rejecting the proposal of a new structure for church tourism, the Committee feels that Tourisme Québec should promote religious tourism and partner with the new Québec religious heritage council to do so.

Recommendation 17

The Committee recommends that Tourisme Québec promote religious tourism and partner with the new Québec religious heritage council to do so.

⁶⁶ Corporation du patrimoine et du tourisme religieux de Québec, brief presented on November 10, 2006 (no. 65), p. 6. (Our translation.)

⁶⁷ Luc Noppen and Lucie K. Morisset, brief presented on September 21, 2005 (no. 45), p. 24.

⁶⁸ Monastère des Augustines, brief presented on November 2, 2005 (no. 4), p. 5.

3.3 Introducing youth to our religious heritage

The members of the Committee on Culture feel that religious heritage enhancement efforts could translate into measures to encourage Quebecers to value their heritage. At the closing conference of the international symposium held in Montréal in October 2005, the chair of the Commission des biens culturels, Mario Dufour, singled out, among the different issues to be addressed to save churches, the need to transmit a “love of heritage to future generations”. In light of a marked decline in religious practice, raising awareness among young people is particularly important, and the Committee has come to the conclusion that steps must be taken to get youth interested in religious heritage. Certain groups that spoke before the Committee proposed that a religious heritage component be added to school programs. The Committee proposes that such a component be incorporated into the religious ethics and culture program to be taught in Québec schools starting in 2008. The Committee wishes that young people, regardless of religious beliefs, learn the meaning and value of religious heritage and discover elements of the various religious traditions in Québec, a goal that could be achieved through cultural activities such as school field trips.

Recommendation 18

The Committee recommends that the Ministère de l'Éducation incorporate a religious heritage component into the new religious ethics and culture program currently under development.

3.4 Raising awareness about our religious heritage

The general population must be taught the value of religious heritage for it to be known and appreciated by as many people as possible. In the words of Senator Serge Joyal, speaking before the Committee:

Of course, when neither faculties nor the best schools teach the history of decorative arts or shape the tastes of successive generations of students, and when these faculties and schools even overlook a significant aspect of our past, we cannot hope that the general public will spontaneously begin valuing the works that are part of its religious heritage.⁶⁹

In the opinion of the Committee, it is crucial that every effort be made to remedy the situation. Starting now, every forum and platform must be used to raise the public's awareness of the importance of Québec's religious heritage. Thus, the Committee believes that we must commit ourselves, as suggested by researcher Marie-Claude Rocher, to making the public more conscious of the presence and value of the heritage of religious minorities.⁷⁰

When the Committee undertook this mandate, its members did not anticipate that travelling to Québec's regions would create such a large response. The Committee aroused great expectations and we should take advantage of these favourable circumstances to run a province-wide awareness campaign centred on the launch of a Québec religious heritage day on which every place of religious heritage interest would be open to the public. Modelled on the *Journées de la culture*, the day would then become an annual cultural event. As the Committee noted is the case in France, such a day could also spur people to participate in fundraisers and pique the interest of potential sponsors.

⁶⁹ Serge Joyal, brief presented on September 29, 2005 (no. 47), pp. 7-8. (Our translation.)

⁷⁰ Marie-Claude Rocher, brief presented on November 10, 2005 (no. 88), p. 15.

Recommendation 19

The Committee recommends that the Government run a vast religious heritage awareness campaign centred on the launch of a Québec religious heritage day.

One of the greatest challenges we face, in addition to knowing, protecting and transmitting our religious heritage, consists in ensuring that it is properly managed. The creation of the Québec Religious Heritage Foundation in 1995 was a first step in the right direction. The Commission now has further recommendations concerning the management of religious heritage in Québec.

4. MANAGING OUR RELIGIOUS HERITAGE

Like the many individuals and groups that participated in the public hearings, the Committee members hope that the measures adopted to increase our knowledge of Québec's religious heritage and to safeguard and transmit it will be adequately planned, coordinated and funded.

Several groups would like to see a new structure established to ensure the conservation and enhancement of religious heritage. The reasons put forward for this include a perceived shortfall in consistent management and adequate funding in the face of growing needs, which the Québec Religious Heritage Foundation does not appear to be able to satisfy.

A number of management models were proposed to the Committee. Some are built on a Québec-wide, centralized approach, while others advocate regional, decentralized management, but all point toward a structure that will allow coherent management of religious heritage throughout Québec and ensure permanent funding.

Professors Luc Noppen and Lucie K. Morisset proposed the creation of a national trust for all Québec churches.⁷¹ This trust would own the churches and the municipalities would be the trustees. The *fabriques* would look after church administration and maintenance, while the Church, although the priority user of the premises, would be exclusively occupied with religious worship. Noppen and Morisset consider it essential that all churches, not only those considered surplus, be part of the trust. In their opinion, as the matter at hand is heritage, the choice of the churches to be preserved and enhanced should be based on heritage criteria, not pastoral criteria. Ownership would be transferred on a voluntary basis, by negotiation with the authorities of each religious tradition. In this new management model, tax exemptions would be granted for heritage rather than worship purposes, and each church would be expected to be self-supporting and develop a plan to ensure its own future.

The city of Saguenay suggested the establishment of regional trusts whose mission would be to maintain movable and immovable property that is part of Québec's religious heritage during the interim period, that is, while a new use for the buildings is sought.⁷² The city believes that the choice of buildings to be conserved or recycled must be made in an overall community-planning perspective, with due consideration of urban development projects and how buildings fit into the urban fabric. It believes that the regional round tables of the Québec Religious Heritage Foundation should be abolished and that responsibility for managing the religious heritage recycling and restoration programs should be transferred to regional county municipalities in the form of trusts.⁷³ These trusts would receive 30% of their funding from the federal government, 30% from the Québec government, 25% from the dioceses, 10% from the municipalities and 5% from citizens.

⁷¹ Luc Noppen and Lucie K. Morisset, brief presented on September 21, 2005 (no. 45), p. 24.

⁷² Ville de Saguenay, brief presented on September 27, 2005 (no. 44), pp. 22-23.

⁷³ *Ibid.*, p. 22.

Normand Paquette, the bursar of the diocese of Nicolet, proposed the creation of a trust, or a public corporation, for churches designated as surplus that have high heritage value.⁷⁴ The Québec Religious Heritage Foundation would continue to support churches open for worship. Following his hearing in Trois-Rivières, Paquette also sent the Committee a management and funding model for “active” and “surplus” places of worship. This model sets out the types of financial and technical support that would be available to places of worship on the basis of their heritage value and conversion capabilities.

The Chambre des notaires du Québec suggested the creation of a social trust to provide a way for the State and municipalities to assume responsibility for transactions involving recognized or classified heritage property. This trust would be transitional, operating while the financing packaging is being worked out for the property to be transferred to one or more persons capable of ensuring its conservation.

The Québec Religious Heritage Foundation proposed that its existence be maintained and showed itself open to a broader mandate that would include other aspects of promoting the knowledge and transmission of and managing Québec’s religious heritage. The Foundation would like the Government to pursue its financial commitment in the long term and to study a guaranteed-funding formula based, for example, on the profits from a lottery or on unrecovered sales tax or goods and services tax credits.

The Commission de la capitale nationale du Québec (CCNQ) proposed the creation of a trust for the financial and property management of surplus religious built heritage property.⁷⁵ To ensure the funding of such a trust, the CCNQ is banking, among other things, on the principle of equalization. For example, the institutional complexes belonging to religious communities, which have a high property value, could be used to finance churches with high heritage value, which have soaring maintenance costs and are not easily convertible. The transfer of ownership question is not settled, but is considered in terms of offering fair compensation to current owners. In contrast with the trust proposed by Noppen and Morisset, the CCNQ is in favour of a private ownership structure. In cooperation with six partners, the CCNQ has commissioned a feasibility study on the subject. A preliminary version of the feasibility study report was sent to the Committee just a few weeks before this report was published, but because the study report was not complete, the Committee was not able to properly evaluate it.

During their study mission in France, Committee members learned about the operation of two heritage conservation and enhancement bodies, the Walloon Heritage Institute and France’s Heritage Foundation.

Drawing from the various proposals it has received, the Committee is now in a position to propose a single new religious heritage management model. This model calls for a strengthening of the coordination role of the Ministère de la Culture et des Communications, the conversion of the Québec Religious Heritage Foundation into a Québec religious heritage council, a recognition of regional and local management responsibilities, and a diversification of the funding formulas for heritage conservation and enhancement.

⁷⁴ Diocese of Nicolet, brief presented on November 9, 2005 (no. 8), p. 3.

⁷⁵ Commission de la capitale nationale du Québec, brief presented on November 2, 2005 (no. 67), pp. 12-13.

4.1 Strengthening the coordination role of the Ministère de la Culture et des Communications

The Committee is convinced that Québec as a nation should fully commit to the task of discovering, protecting and transmitting its religious heritage. The interest generated by the public consultations shows that the people of Québec are attached to their religious heritage. The State must take note of this, espouse the task at hand and coordinate the actions taken to protect and enhance our religious heritage. More specifically, the Ministère de la Culture et des Communications must continue to act and play its coordinating role. Some participants in the Committee hearings showed dissatisfaction with the department. Professors Jean-Claude Marsan and Raymonde Gauthier, for example, told the Commission:

It is clear that, despite the *Cultural Property Act*, which is the envy of several Canadian provinces, and the large sums of money spent so far on safeguarding our religious heritage, the State in Québec has not always had an exemplary record in conserving and enhancing the built heritage in general. From the Place-Royale disaster in the Old Capital to the deficient methodology concocted by Québec public servants for the present religious heritage inventory, the list of aberrations goes on and on.

Finally, we must come to the realization that managing religious heritage, just like the built heritage in general, cannot be the work of a few members of a select club. Rather, it must be carried out in partnership with the municipalities, which are destined to play an essential role in heritage conservation and enhancement through their by-laws and master planning programs. The Commission des biens culturels, which acts in an advisory role to the Minister, cannot be such a stakeholder. There is a gap that must be filled as soon as possible if we are to even hope to preserve a good part of the collective wealth that is the pride of Quebecers and part of their identity, whether or not they practise a faith.⁷⁶

The Auditor General noted irregularities in the monitoring of the sums managed by the Québec Religious Heritage Foundation. As well, some participants pointed out that the Ministère de la Culture et des Communications had delayed funding the Foundation in the last few years. The Committee noticed, however, that the department had incorporated a separate entity for religious heritage into its organizational structure, a sign of its renewed interest in the matter.

The Committee members are of the opinion that the department must be able to continue playing a role in the coordination of efforts to discover, protect and manage Québec's religious heritage, and that this role must be strengthened. Such coordination could lead to the adoption of departmental directions intended for all stakeholders. In its relationship with the new Québec religious heritage council and in order to give greater responsibility to this body, which is destined to play an ever more important role in the management of religious heritage, the department could operate within a framework similar to that governing its relationship with state-owned enterprises, following the example of the Conseil des arts et des lettres du Québec. The department would remain answerable for the actions of the new council and would also play a leadership role with other government departments and agencies and state-owned enterprises to ensure that they take an active part in their respective fields of jurisdiction in protecting and enhancing Québec's religious heritage.

⁷⁶ Jean-Claude Marsan and Raymonde Gauthier, brief presented on September 20, 2005 (no. 52), pp. 9-10. (Our translation.)

Recommendation 20

The Committee recommends strengthening the coordination role of the Ministère de la Culture et des Communications in the area of religious heritage by having it issue departmental directions that would apply to all government departments and agencies and state-owned enterprises.

The public consultations have shown that several government departments and bodies besides the Ministère de la Culture et des Communications should be involved in the future of religious heritage. A number of groups have demanded that Hydro-Québec abandon its idea of abolishing the dual-energy rate granted to *fabriques* and religious communities. Others have asked that the Régie du bâtiment relax certain rules on bringing buildings up to standards as they apply to heritage building restoration. Several participants also requested various types of tax assistance to foster the restoration and conversion of places of worship, and expressed the desire that the Ministère du Revenu take action in this regard. Others spoke in favour of investing part of Loto-Québec's revenues in Québec's religious heritage.

The Committee members consider that the future of our religious heritage must become a prime concern for all government departments and agencies and state-owned enterprises, not only for the Ministère de la Culture et des Communications. Therefore, it is important that that department prepare and coordinate a government-wide action plan for religious heritage.

Recommendation 21

The Committee recommends that the Ministère de la Culture et des Communications develop and coordinate a government-wide action plan for religious heritage.

4.2 Converting the Québec Religious Heritage Foundation into a Québec religious heritage council

At the beginning of the 1990s, an interfaith association called Living Stones was set up to preserve religious heritage in the Montréal area. In 1995, this association submitted a partnership proposal to the Ministère de la Culture et des Communications with a view to ensuring the funding and enhancement of religious heritage throughout Québec. This proposal gave birth to the Québec Religious Heritage Foundation, a private, non-profit, multi-faith corporation created to see to the restoration and preventive conservation of religious heritage buildings and of furnishings and works of art of heritage interest. On the basis of agreements entered into with the Ministère de la Culture et des Communications and subsequent amendments to those agreements, the Foundation has received nearly 150 million dollars, since its inception in 1995, to finance religious heritage restoration projects. As stated in the first part of this report, it has also drawn up inventories of built religious heritage and developed new expertise in this area.

Despite some criticism of the Québec Religious Heritage Foundation, relating in particular to its preparation of inventories and the operation of its regional round tables, the Committee's public hearings showed that the Foundation has carried out its tasks adequately. Consequently, the Committee members believe that the Foundation's experience should continue to be built upon and its funding maintained.

They note, however, that the Foundation is currently performing functions that go beyond those generally assumed by a foundation; they also propose that it be assigned further responsibilities with regard to the discovery, protection and management of our religious heritage. The Committee members propose that this change be reflected by a change of name and invite the Québec Religious Heritage Foundation to convert into a Québec religious heritage *council*.

Recommendation 22

The Committee recommends that the Ministère de la Culture et des Communications continue supporting the Québec Religious Heritage Foundation, but invites the Foundation to convert into a Québec religious heritage council and to assume new responsibilities with regard to the discovery, protection and management of Québec's religious heritage.

As already mentioned, the Québec Religious Heritage Foundation is a private, non-profit, multi-faith corporation. At the Committee hearings, it is the confessional nature of the Foundation that received the most criticism. While the involvement of representatives of the main religious faiths offers definite advantages, the Committee believes that the Foundation would benefit from the presence of more laypersons on its board of directors, executive committee and regional round tables. As Professors Jean-Claude Marsan and Raymonde Gauthier remarked before the Committee on Culture:

There is no doubt that the Québec Religious Heritage Foundation carried off a master stroke by including representatives of the main religious traditions, namely, the Catholic, Protestant and Jewish traditions, at its round tables. The commitment and hard work of all those stakeholders have been exemplary. In the medium and long terms, however, it is difficult to see how Québec's religious heritage, which includes not only 2,500 places of worship but also a considerable number of convents, monasteries, colleges and other institutions, can continue to be the preoccupation only of the leaders of the practising faithful in the community.⁷⁷

The Committee members see no reason why responsibility for allocating public funds to heritage restoration should not be assumed by a body composed in the majority of laypersons and religious heritage experts. The Committee does not want the representatives of the different religious traditions or communities to be completely excluded from management and decision making in a new Québec religious heritage council. It believes, however, that the number and role of these representatives on the decision-making bodies of such a council should not exceed those of experts and of the representatives of civil society and of the Ministère de la Culture et des Communications. At present, the Foundation's board of directors and executive committee are composed in the main of representatives of the religious community, while they ought rather to be made up of a majority of laypersons. Furthermore, the chair of each of these decision-making bodies should be elected by that body.

⁷⁷ Jean-Claude Marsan and Raymonde Gauthier, brief presented on September 20, 2005 (no. 52), p. 8. (Our translation.)

Recommendation 23

The Committee recommends that the majority of members of the decision-making bodies within a new Québec religious heritage council, i.e. its board of directors, executive committee and regional round tables, be laypersons, and that each body elect its own chair.

With regard to the protection of Québec's religious heritage, the current Foundation has confined itself to contributing to heritage property restoration by awarding grants. Considering the increasing number of surplus places of worship and the real possibility that religious authorities may not be able to protect such places of worship, or built religious heritage property and objects that are of value to Québec, the Committee feels that the new religious heritage council should have the power to acquire exceptional religious heritage property and the power to manage, administer, lease, transfer or alienate such property. Such a power would be similar to that held by the Société de développement des entreprises culturelles with respect to Place-Royale, as well as to that held by other heritage protection institutions in Canada and elsewhere.⁷⁸

Recommendation 24

The Committee recommends that the new Québec religious heritage council have the power to acquire religious heritage property of exceptional value and interest to Québec and the power to manage, administer, lease, transfer or alienate it.

Several participants mentioned that the Québec Religious Heritage Foundation should broaden the services it offers to owners of religious property. The Committee shares this view and considers that the new Québec religious heritage council should include a consulting and assistance team offering expertise in the restoration and enhancement of religious heritage property, as well as assistance for local bodies in their efforts to manage or convert a place of worship. For the sake of efficiency, and consistency with the broadened mandate proposed for the council, the Committee suggests that the council take over the management of the program for recycling religious heritage buildings currently administered by the Ministère de la Culture et des Communications.

⁷⁸ For example, the Churches Conservation Trust in England and the Ontario Heritage Foundation.

During their mission in Europe,⁷⁹ two Committee members were able to see first-hand the advantages of certain Belgian and French initiatives, in particular the Walloon Heritage Institute. Because of the scope and diversity of its mandates, the Walloon Institute is a most helpful example when it comes to assistance and expertise. It has been entrusted with three main missions. The first, assigned to a team made up of art historians, architects and a lawyer, is to help owners determine the soundness of the property to be conserved. The Institute may also undertake a feasibility study prior to restoration work and supervise such work. It may also conduct a study on the building's conversion potential and seek private or public investors to acquire or lease the building. The second mission focuses on heightening awareness of heritage issues. The Institute's communications team organizes seminars, participates in cultural activities and distributes publications. Since 2005, the Institute has been responsible for the organization and coordination of Heritage Days. The third mission concerns the training of construction sector professionals. The Heritage Trades Development Centre, located in a former abbey, organizes advanced training for artisans, construction workers, architects and contractors. Since 2001, classes have even been organized for first-year secondary students to introduce them to heritage trades. Internships are also offered in the form of vacation camps for young people 6 to 13 years of age. The Committee members feel that Québec should draw inspiration from the experience of the Walloon Heritage Institute and broaden the mission of the new Québec religious heritage council, so that it can offer consulting services and provide assistance to owners of elements of Québec's religious heritage.

Recommendation 25

The Committee recommends broadening the new Québec religious heritage council's mission to include consulting and assistance for current and future owners of religious property so as to help them manage the property and ensure its continued existence.

The Committee was convinced by arguments that the role of artisans and conservators should be enhanced, and believes that, like the Walloon Heritage Institute, the new Québec religious heritage council could be involved in their training. As the Commission de la capitale nationale du Québec pointed out,⁸⁰ it is important that people who work at a traditional trade—they are often the sole heirs of traditional know-how that may disappear—be able to use their skills on restoration sites and be properly trained for that purpose. The Committee believes that the new Québec religious heritage council and the Centre de conservation du Québec, a government agency dedicated to heritage restoration whose excellent work is recognized in Québec and beyond,⁸¹ should work together to foster the training and development of religious heritage artisans and conservators.

⁷⁹ Committee on Culture, report on the study mission of a Committee on Culture delegation in Belgium and France from February 5 to 10, 2006, as part of the Committee's initiative on Québec's religious heritage, April 2006, 53 pp.

⁸⁰ Commission de la capitale nationale du Québec, brief presented on November 2, 2005, p. 18.

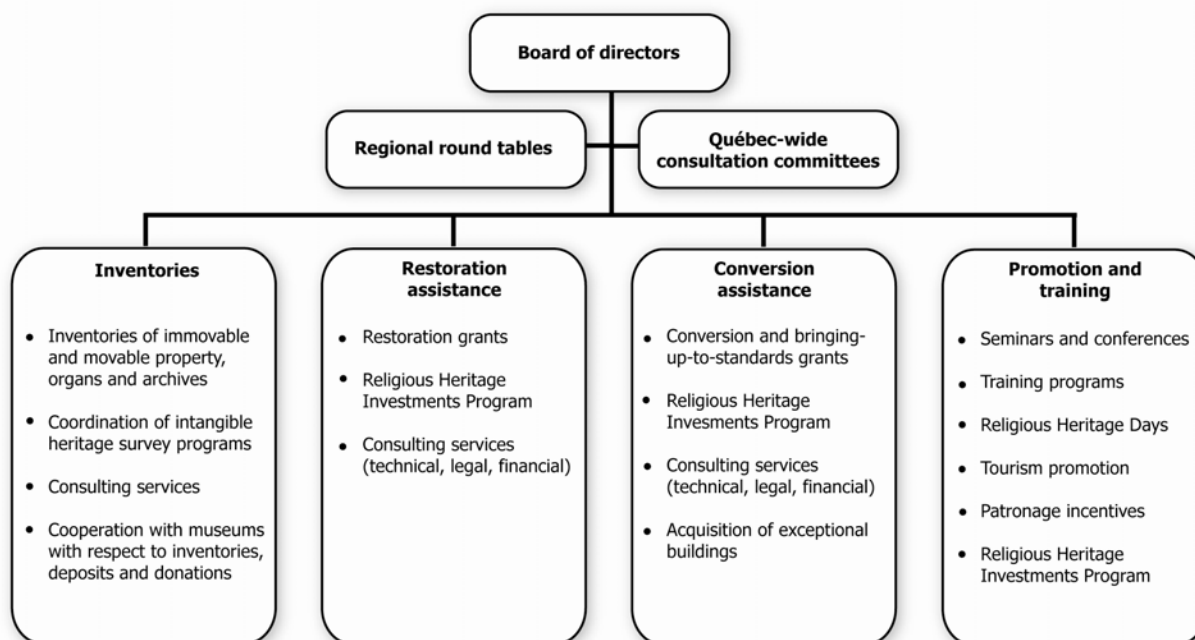
⁸¹ Information on the Centre de conservation du Québec is available at [<http://www.ccq.mcc.gouv.qc.ca>].

Recommendation 26

The Committee recommends that the new Québec religious heritage council and the Centre de conservation du Québec work together to promote training and skills development for religious heritage artisans and conservators.

The additional responsibilities assigned to the new council would make it an important player in efforts to better know, protect and transmit our religious heritage. The following organizational chart shows the suggested powers and duties of the Québec religious heritage council.

Proposed organizational chart of the new Québec religious heritage council



4.3 Recognizing local and regional responsibilities in the management of our religious heritage

During the public hearings, quite a few participants commented on the role played by local and regional elected officers. Many insisted that the Government should increase the intervention capability of local and regional municipalities. The Committee noted wide disparities in the level of involvement among regional and local authorities. It was delighted that the city of Québec and the regional county municipalities (RCMs) of Rivière-du-Loup and Côte-de-Beaupré came to testify to their involvement and interest in the protection of religious heritage.

The Sulpician priests feel that municipalities should be the first to adopt heritage policies and assist citizens in their heritage enhancement efforts. According to the city of Saguenay, the mechanisms in place do not provide a real opportunity for municipalities to participate in brainstorming, the decision process and the resulting priority action plan. It believes that RCMs should act as project leaders in the planning process and the choice of intervention priorities. Many suggest that protection of religious heritage ought to be included in RCMs' development plans. In that regard, the Fédération québécoise des municipalités recommends that any eventual cultural heritage policy give a prominent role to RCMs' development plans.⁸² As for the city of Québec, it took part in the development of a property master plan for the eight churches located in two Limoilou-ward parishes.⁸³ It considers this a winning formula for amalgamated parishes with two or more churches.

In an overall community-planning perspective, it is important to involve cities in the choice of buildings to be preserved or recycled. The Committee is of the opinion that, to assume their religious heritage responsibilities, RCMs and the equivalent decision-making authorities in the cities of Montréal, Québec, Laval and Longueuil must adopt a series of measures to support Québec-wide religious heritage protection efforts at the local and regional levels.

As well, the Committee considers it essential that an amendment be made to the *Act respecting land use planning and development*⁸⁴ so that RCMs are required to include in their development plans a list of the religious buildings and cemeteries in their respective territories that the new Québec religious heritage council has identified as being of historical, cultural or aesthetic interest within the meaning of section 5 of the Act. This will guarantee protection of religious property of heritage value since rezoning of the area in which it is located will be prohibited because of its presence. Thanks to the amended Act and the double conformity imposed on local municipalities, which must adopt by-laws and planning programs that are consistent with each other and with the RCM's land use planning and development plan, municipalities will also contribute to the religious heritage protection effort.

Recommendation 27

The Committee recommends that the *Act respecting land use planning and development* be amended so that regional county municipalities (RCMs) are required to include in their development plans a list of the religious buildings and cemeteries in their respective territories that the new Québec religious heritage council has identified as being of historical, cultural or aesthetic interest.

⁸² Fédération québécoise des municipalités, brief presented on January 26, 2006 (no. 60), p. 4.

⁸³ Ville de Québec, brief presented on November 2, 2005 (no. 93), p. 5.

⁸⁴ R.S.Q., chapter A-19.1.

A number of participants suggested that RCMs should commit to increasing involvement in the protection of religious buildings through partnerships with the Ministère de la Culture et des Communications and religious authorities. Several briefs cite as an example the partnership agreements between the Ministère de la Culture et des Communications, the dioceses, and cities or RCMs, notably the agreements to which the city of Québec and the RCM of Portneuf are parties. The Committee feels that such agreements must be encouraged in order to promote dialogue between partners and to ensure that not only RCMs and the Ministère de la Culture et des Communications, but also religious authorities, are involved in planning.

Recommendation 28

The Committee recommends encouraging partnerships between regional and local municipalities, Québec authorities (Québec religious heritage council, Ministère de la Culture et des Communications, and other departments, corporations and agencies) and religious authorities.

The adoption of such measures should raise interest within RCMs and give them a sense of responsibility with respect to religious heritage. This could result in RCMs and their representatives participating in the work of the new Québec religious heritage council, in particular at the council's regional round tables. An RCM presence at the regional round tables will give RCMs a voice not only in the choice of religious buildings and cemeteries to protect, but also on other matters that will be under the authority of the new council and are likely to be discussed by the regional round tables.

Recommendation 29

The Committee recommends that one or more regional county municipality (RCM) representatives sit at the regional round tables of the new Québec religious heritage council.

The Committee believes that, in view of their expertise, RCMs should be given responsibility for conducting, as part of the alienation mechanism recommended in this report, the public information meetings on the future of religious buildings and cemeteries for which a change of use or purpose is being considered.

Recommendation 30

The Committee recommends that regional county municipalities (RCMs) be given responsibility for organizing public information meetings as part of the mechanism for the alienation of religious buildings and cemeteries.

4.4 Diversifying religious heritage funding formulas

Funding is no doubt the matter most often discussed by the persons and groups that submitted a brief. The majority agree that the public funding allocated for religious heritage protection and enhancement is insufficient. The Committee feels that public funding of religious heritage must continue and that citizens must contribute through their taxes to the discovery, protection and transmission of that heritage. Consequently, the appropriations granted for that purpose must be maintained and even increased. At his hearing before the Committee, the President of the Québec Religious Heritage Foundation estimated that \$25 million a year would be required to respond adequately to the requests the Foundation receives.

Recurrent public funding would provide stability for the new Québec religious heritage council and enable it to invest not only in the existing religious heritage restoration program, but also in new programs such as religious heritage awareness and intangible religious heritage discovery programs.

Recommendation 31

The Committee recommends continuing to provide recurrent public funding for the new Québec religious heritage council and enabling the council to invest not only in its existing religious heritage restoration program, but in new programs as well.

Even if recurrent public funding is maintained, the State's ability to pay will always fall short of the needs expressed. The Committee members feel that the way to ensure a future for religious heritage is through a diversification of funding formulas. On the one hand, the current program administered by the Québec Religious Heritage Foundation must remain and be expanded to make, as recommended in this report, specific provision for inventories, conversion assistance and awareness programs. On the other hand, a new funding formula should be found for the new religious heritage management structure.

The new funding formula could be modeled on the *Placements culture* program,⁸⁵ whose purpose is essentially to foster patronage and make it a component of public funding. Its specific objectives include

- 1- creating conditions that will encourage the private sector to become gradually more involved in funding cultural and communications organizations, and to maintain support over the long term;
- 2- providing cultural and communications organizations, particularly smaller ones, with a financial safety margin enabling them to deal with unforeseen circumstances; and
- 3- allowing cultural and communications organizations to stabilize their long-term income, thus gaining autonomy.

⁸⁵ The *Placements culture* program was launched on November 23, 2005 by the Minister of Culture and Communications, who entrusted the Conseil des arts et des lettres du Québec (CALQ) with managing and promoting the program. It aims to encourage Québec individuals, corporations and foundations to give more generously to non-profit organizations in the field of culture and communications.

No new structure, whether a foundation or trust, is needed to implement this funding formula. Like the Conseil des arts et des lettres du Québec, the new Québec religious heritage council could act as a financial intermediary between would-be patrons and investment companies. As in the *Placements culture* model, voluntary gifts collected by ecclesiastical and religious corporations during funding activities would be deposited into accounts, that is, distinct funds that would continue to be owned by the donees. All donations would be increased by a matching contribution from a government source. The match percentage would have to be determined when the program is set up. Since the funds making up “Religious Heritage Investments” would be invested collectively as part of large, existing foundations, they would have a better rate of return than if invested individually.

Recommendation 32

The Committee recommends setting up a new funding program called “Religious Heritage Investments” along the lines of the *Placements culture* program, to match public funds to private capital in special funds created for that purpose.

Several participants suggested that regional and municipal authorities should invest more in the preservation of heritage protection. Some proposed amendments to the *Act respecting municipal taxation*⁸⁶ to give cities and municipalities the financial means to make such investments. The city of Québec drew the Committee’s attention to the financial limits of local governments.⁸⁷

The Committee members consider that local and regional authorities, through their cultural and heritage policies, should provide financial support to projects aimed at protecting and enhancing religious heritage.

Furthermore, in order to maintain the heritage character of converted religious buildings, the Committee believes it important to empower cities and local municipalities to grant tax benefits to new owners. The tax laws would have to be amended to allow local authorities to exempt from municipal and school taxes and from transfer duties all buildings that belong to a non-profit organization involved in the creation and pursuit of charitable and educational initiatives, scientific, artistic or literary activities, youth training programs or, generally, any initiative aimed at enhancing the social well-being of Quebecers, involved in the organization of recreational centres or public sports and recreation facilities or involved in tourism within the meaning of the *Act respecting municipal taxation*. Municipalities should, however, be allowed to impose a compensation for water, sewer, and garbage collection or disposal services on those buildings.

⁸⁶ R.S.Q., chapter F-2.1.

⁸⁷ Ville de Québec, brief presented on November 2, 2005, p. 17.

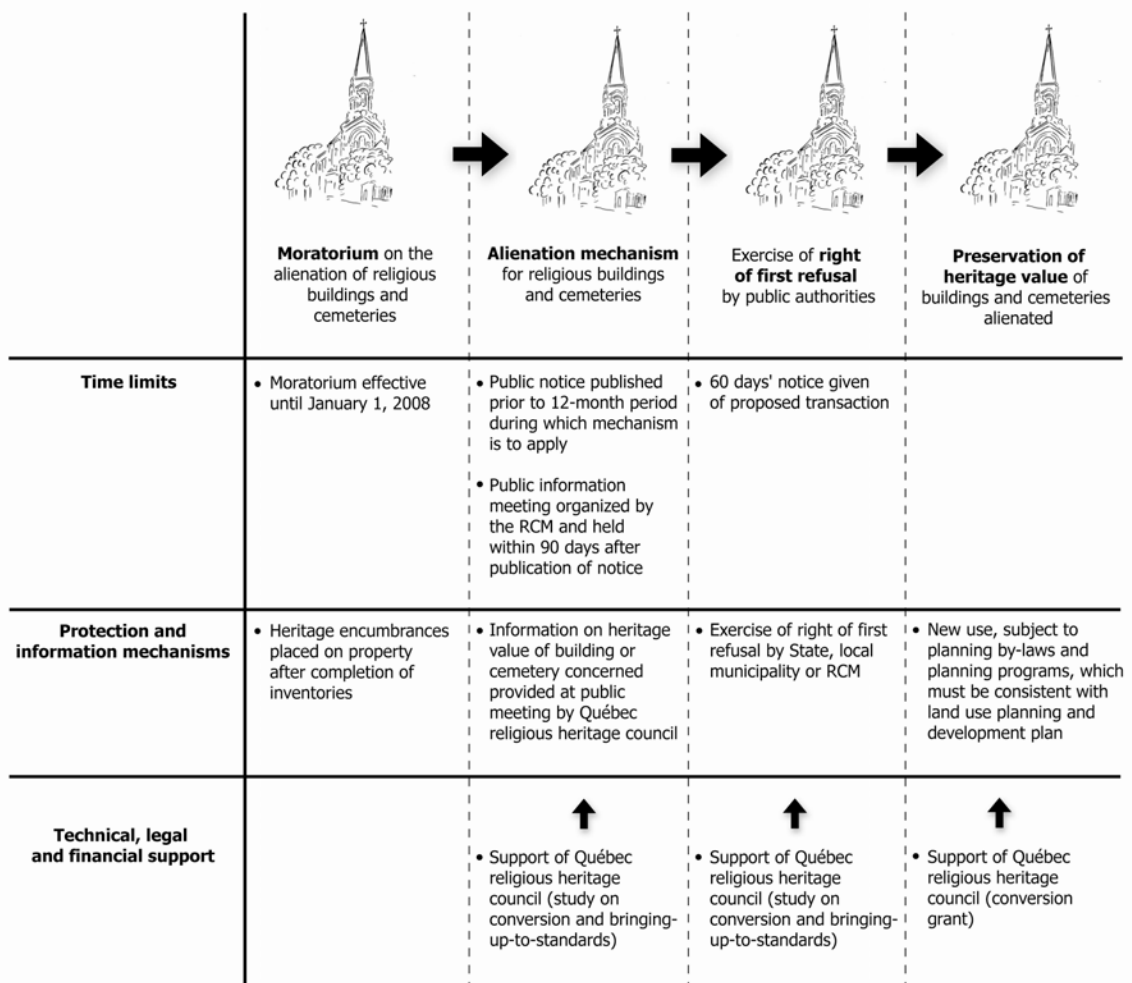
In making such a recommendation, the Committee members have in mind the Clara-Bourgeois Foundation, which received a bill for transfer duties in the amount of \$25,000.⁸⁸

Recommendation 33

The Committee recommends giving local municipalities the power to exempt converted religious buildings from municipal and school taxes and property transfer duties if they are purchased by non-profit corporations to create and pursue charitable and educational initiatives, conduct scientific, artistic, literary or youth-training activities or in general undertake any initiative intended to enhance the social well-being of Quebecers, or if they are used to operate recreational centres or public sports and recreation facilities or for tourism purposes. There would still be charges, however, for water and sewage services and for garbage collection and disposal.

The following illustration summarizes the main steps proposed for the alienation of religious buildings and cemeteries.

Alienation of religious buildings and cemeteries



⁸⁸ Committee on Culture, public hearings of the Fondation Clara-Bourgeois, *Journal des débats*, November 9, 2005.

After making recommendations aimed at ensuring better knowledge, protection, transmission and management of Québec's religious heritage, the Committee members wish to conclude by emphasizing the importance of considering their views on religious heritage in the broader perspective of the protection and enhancement of Québec's heritage as a whole.

CONCLUSION

In November 2004, the members of the Committee on Culture gave themselves the mandate, under their power of initiative, to examine the future of Québec's religious heritage. The main goal of this exercise was to gather input from those with an interest in that heritage with a view to developing sustainable solutions. Another more important goal was to garner promising proposals and, above all, to bring the public into the debate.

The Committee feels these goals have been achieved. But it hopes the debate will continue for, as the representatives of the regional county municipality and city of Rivière-du-Loup so aptly put it, "the more members of the public are aware of the richness of this heritage and of the challenge involved in preserving it, the more inclined they will be to protect it."⁸⁹

In the Committee's view, the future of Québec's religious heritage is everyone's concern. Without denying that there are problems or that many elements of our religious heritage are in a less than pristine state, the Committee believes we must not yield to the pessimism expressed in certain quarters but rather approach this whole matter with new, more positive energy.

Our religious heritage is a living one whose tangible and intangible aspects are indissociable. It deserves special attention from the public authorities. Important measures have been adopted over the last ten years or so to protect our religious heritage and help restore property owned by the various faith communities in Québec. The Committee is convinced that further actions are needed if future generations are to know this heritage. A major province-wide effort to gather information on all aspects of our religious heritage must be launched and inventories of both immovable and movable religious heritage and especially religious archives and organs must be conducted, all of this as soon as possible.

The Committee proposes that a moratorium on the alienation and demolition of religious buildings and sites be ordered as soon as possible. This moratorium would give the Government time to implement the measures the Committee deems necessary. The foremost of these measures consists in introducing a mechanism for the alienation of religious buildings and cemeteries. Moreover, the members of the Committee urge the Government to give itself, through appropriate legislation, the power to place "heritage encumbrances" on religious heritage elements that it wishes to preserve and that would otherwise not be protected under the *Cultural Property Act* or other laws.

The Committee would also like to see the Ministère de la Culture et des Communications strengthen its coordination role and involve other government departments, corporations and agencies in the preservation of Québec's religious heritage. In addition, the Committee asks that regional and local responsibilities in this area be recognized.

The Committee has come to the conclusion that the Québec Religious Heritage Foundation should be converted into a Québec religious heritage council and that its board of directors, executive committee and regional round tables should allow more room for laypersons. The Committee also proposes that this new council be given new responsibilities, especially as regards consulting and assistance services.

⁸⁹ Ville de Rivière-du-Loup, brief presented on November 3, 2005 (no. 105), p. 35.

On another front, the members of the Committee call for the diversification of religious heritage funding formulas. They recommend maintaining recurrent public funding for the new Québec religious heritage council and propose a new funding program along the lines of the *Placements culture* program. This new funding program would encourage private-sector contributions toward religious heritage protection.

Throughout their examination of Québec's religious heritage, the Committee members have taken care to consider all the religious traditions present in Québec and sought the participation of all religious authorities. The members also realize that the Government should be concerned about the religious heritage of Québec's Aboriginal peoples, such as Amerindian burial grounds and cemeteries, some of which are listed as part of the Aboriginal peoples' archaeological or intangible heritage. The Committee members would therefore like the new religious heritage council to establish a dialogue with the Aboriginal peoples and propose mechanisms for collaboration in order to secure a sustainable future for their religious heritage.

In closing, the Committee would like to address two broad issues that were raised during the hearings and about which it has not yet formulated any recommendations. The first issue has to do with possible amendments to the *Cultural Property Act* and the second, with the relationship between religious heritage protection and enhancement and sustainable development.

In its consultation paper, the Committee explicitly asked individuals and groups for comments on the *Cultural Property Act*. A number proposed amendments to the Act, particularly to enhance its application and provide greater incentive for compliance.

After due consideration, the members of the Committee have concluded they did not, as part of their initiative on Québec's religious heritage, have the mandate to propose amendments to the *Cultural Property Act*, whose purpose is to protect all Québec heritage. As the Committee did not hold hearings on this subject specifically, it found it was premature to recommend amendments. The Committee members share the viewpoint of the former chair of the Commission des biens culturels, Louise Brunelle-Lavoie, who feels that a general policy on Québec's heritage must be adopted before the *Cultural Property Act* can come under review and that amendments to the Act must follow an overarching logic or else they amount to piecemeal, quick-fix changes.⁹⁰ The Committee feels the Government could look to the recommendations in this report for inspiration should it decide to draft a heritage policy.

The Committee members believe that measures to protect Québec's religious heritage and overall heritage should be part of a sustainable development strategy. The concept of "sustainable development" was recently defined in the *Sustainable Development Act*, which was unanimously passed by the National Assembly: "'sustainable development' means development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Sustainable development is based on a long-term approach which takes into account the inextricable nature of the environmental, social and economic dimensions of development activities."⁹¹

⁹⁰ Louise Brunelle-Lavoie, brief presented on November 15, 2005 (no. 110), p. 6.

⁹¹ *Sustainable Development Act* (R.S.Q., chapter D-8.1.1), section 2.

The Act stipulates that efforts by the Government to better integrate sustainable development in its various spheres of activities are to be guided by principles, among which is the protection of cultural heritage:

Cultural heritage, made up of property, sites, landscapes, traditions and knowledge, reflects the identity of a society. It passes on the values of a society from generation to generation, and the preservation of this heritage fosters the sustainability of development. Cultural heritage components must be identified, protected and enhanced, taking their intrinsic rarity and fragility into account.⁹²

The religious heritage protection and enhancement measures proposed in this report for adoption by the Government are consistent with this principle. They will help protect property, sites and landscapes that are part of our identity and a source of pride and solidarity. In short, the Committee firmly holds that believing in Québec's religious heritage is the key to passing on the traditions, customs, values and knowledge that define Québec society.

⁹² *Ibid.*, section 6, paragraph *k*.

SCHEDULES

1. Places of worship by region

Region	Number of places of worship ⁹³
Abitibi-Témiscamingue	106
Bas-Saint-Laurent	155
Centre-du-Québec	115
Chaudière-Appalaches	194
Côte-Nord	68
Estrie	228
Gaspésie	104
Lanaudière	94
Laurentides	179
Laval	42
Mauricie	114
Montréal	468
Montréal	468
Nord-du-Québec	18
Outaouais	173
Québec	176
Saguenay	111
Total	2751

⁹³ According to the inventory of places of worship in Québec by the Québec Religious Heritage Foundation. Only places of worship built before 1975 and open for worship (or recently closed) are included in the inventory.

2. Places of worship by religious faith

Religious faith	Number of places of worship ⁹⁴
Catholic	2023
Seventh-day Adventist	21
Anglican	238
Apostolic	6
Baptist	37
Evangelical Baptist	41
Bouddhist	2
United Presbyterian, Multiconfessional, Congregationalist	1
United	181
Evangelical	43
Jewish	25
Lutheran	14
Methodist	3
Multiconfessional	11
Muslim	3
Orthodox	32
Pentecostal	48
Presbyterian	49
Sikh	2
Other	16
Total ⁹⁵	2796

⁹⁴ According to the inventory of places of worship in Québec by the Québec Religious Heritage Foundation. Only places of worship built before 1975 and open for worship (or recently closed) are included in the inventory.

⁹⁵ The total number of places of worship is higher than the actual number of places of worship in Québec according to the inventory (2,755) because certain faiths share the same place of worship. This produces duplication.

3. Number of statuses granted to immovable and movable religious heritage elements

Immovable property⁹⁶

	TOTAL	MCC						Municipality (QC)		
		Classification			Recognition			Designation	Constitution	
		Historic monument	Historic site	Located on a historic site	Historic monument	Historic site	Located on a historic site	Historic monument	Located on a heritage site	Heritage site
Anglican churches	27	9	0	1	0	0	1	15	1	0
Baptist churches	1	0	0	0	0	0	0	1	0	0
Bishops' residences	1	0	0	0	0	0	0	1	0	0
Catholic churches	110	63	1	5	4	0	1	27	9	0
Cemeteries, mass graves, churchyards	17	0	2	1	0	0	0	8	2	4
Congregationalist churches	1	1	0	0	0	0	0	0	0	0
Convents, monasteries and abbeys	30	6	3	4	3	1	0	10	3	0
Methodist churches	7	0	0	0	1	0	1	3	2	0
Other religious residences	5	3	0	0	0	0	0	2	0	0
Orthodox churches	1	0	0	0	0	0	0	1	0	0
Presbyteries and rectories	53	17	1	1	2	0	0	28	4	0
Presbyterian churches	4	0	0	0	0	0	1	2	1	0
Private chapels	10	6	0	0	0	0	0	4	0	0
Sanctuaries and pilgrimage sites	1	0	0	0	0	0	0	1	0	0
United churches	7	2	0	1	0	0	0	3	1	0
Procession chapels	24	19	0	0	0	0	0	3	2	0
Wayside crosses and shrines	27	4	2	0	0	0	0	21	0	0
Total	326	130	9	13	10	1	4	130	25	4

Movable property⁹⁷

Category	Provincial status
Archives (civil registers)	62
Archives (other)	6
Historic property	1
Works of art	58
Religious property - Total	127
Cultural property - Total	163

⁹⁶ Source: Direction du patrimoine, Ministère de la Culture et des Communications.

⁹⁷ Statistics in this table reflect the number of protected collections. Collections may include a single object (e.g. an organ) or several objects. A collection of historic property or works of art may thus include a number of objects from the same site that are protected simultaneously. For example, works of art from the Saint-Romuald church are a protected collection consisting of 13 sculptures and the pulpit, choir screen, baptismal fonts and communion table. The protected collection in the historic property category is that of the Musée des Augustines de l'Hôtel-Dieu-de-Québec, which contains 735 objects.

RECOMMENDATIONS

1. KNOWING OUR RELIGIOUS HERITAGE..... 15

Recommendation 1 16

The Committee recommends that the Ministère de la Culture et des Communications draw up, as soon as possible, a list of both completed and pending inventories and create a directory of all inventories of tangible religious heritage, to be updated annually.

Recommendation 2 16

The Committee recommends that the new Québec religious heritage council use this new inventory list to identify sectors where inventories are most urgently required, set out a recognized methodology and explore the possibility of developing a search tool that would combine the data from all listed inventories.

Recommendation 3 17

The Committee recommends that the new Québec religious heritage council complete the inventory of immovable religious heritage as soon as possible by taking stock of places of worship built after 1975, convent complexes located outside Montréal, and presbyteries, rectories and cemeteries throughout Québec.

Recommendation 4 18

The Committee recommends that the new Québec religious heritage council draw up, as soon as possible, an inventory of movable religious heritage based on a pre-inventory of the movable religious property of ecclesiastical and religious corporations and religious communities.

Recommendation 5 18

The Committee recommends that the new Québec religious heritage council form a religious archives committee in collaboration with Bibliothèque et Archives nationales du Québec to conduct an inventory of religious archives holdings as soon as possible and develop an effective, coherent strategy to protect and promote religious archives and preserve them for future generations.

Recommendation 6 19

The Committee recommends that the new Québec religious heritage council take an inventory of organs across Québec as soon as possible and develop an effective, coherent strategy to protect those with heritage value.

Recommendation 7	21
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The Committee recommends that the new Québec religious heritage council coordinate a series of surveys of Québec's intangible religious heritage as soon as possible and develop, in collaboration with educational institutions and museums and with the participation of the communities and groups that create, maintain and transmit it, an effective, coherent strategy to promote knowledge of, protect and transmit this heritage.

Recommendation 8	22
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The Committee recommends that higher education institutions introduce an integrated religious heritage studies program for students in history, art history, ethnology, architecture, museology, archival management and related disciplines.

Recommendation 9	22
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The Committee recommends that the new Québec religious heritage council develop a religious heritage education program for local, regional and provincial decision-makers.

Recommendation 10	22
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The Committee recommends that the Ministère de l'Éducation, du Loisir et du Sport, in cooperation with the Fonds québécois de la recherche sur la société et la culture and higher education institutions, grant scholarships to graduate students who choose religious heritage as their field of study.

2. PROTECTING OUR RELIGIOUS HERITAGE..... 23

Recommendation 11	27
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The Committee recommends that a Québec-wide moratorium be instituted as soon as possible on the alienation and modification of religious buildings and cemeteries, effective from the tabling of this report to January 1, 2008.

Recommendation 12	28
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The Committee recommends that the Government and public and parapublic bodies be required to consider using religious buildings with heritage value before building or leasing new facilities.

Recommendation 13	28
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The Committee recommends that the Ministère de la Culture et des Communications negotiate agreements on the alienation of movable religious property, works of art and archives, for a term possibly based on the amount of time required to complete the movable religious heritage inventory.

Recommendation 14	29
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The Committee recommends introducing, through appropriate legislation, a mechanism for the alienation of religious buildings and cemeteries.

Recommendation 15	30
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The Committee recommends that the Government institute legislative means of registering “heritage encumbrances” against the titles of ownership of religious buildings or cemeteries in order to preserve religious heritage elements not protected under the *Cultural Property Act* or other legislation.

3. TRANSMITTING OUR RELIGIOUS HERITAGE 31

Recommendation 16	33
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The Committee recommends that a portion of the funds granted by the new Québec religious heritage council be reserved for

- 1- enhancing and interpreting heritage religious buildings and widening their accessibility;
- 2- enhancing the movable heritage and sacred art collections conserved in our museums;
- 3- enhancing and disseminating religious archives and widening their accessibility;
- 4- enhancing and disseminating intangible religious heritage, particularly that held by religious communities.

Recommendation 17	33
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The Committee recommends that Tourisme Québec promote religious tourism and partner with the new Québec religious heritage council to do so.

Recommendation 18	34
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The Committee recommends that the Ministère de l'Éducation incorporate a religious heritage component into the new religious ethics and culture program currently under development.

Recommendation 19	35
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The Committee recommends that the Government run a vast religious heritage awareness campaign centred on the launch of a Québec religious heritage day.

4. MANAGING OUR RELIGIOUS HERITAGE 37

Recommendation 20	40
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The Committee recommends strengthening the coordination role of the Ministère de la Culture et des Communications in the area of religious heritage by having it issue departmental directions that would apply to all government departments and agencies and state-owned enterprises.

Recommendation 21	40
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The Committee recommends that the Ministère de la Culture et des Communications develop and coordinate a government-wide action plan for religious heritage.

Recommendation 22	41
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The Committee recommends that the Ministère de la Culture et des Communications continue supporting the Québec Religious Heritage Foundation, but invites the Foundation to convert into a Québec religious heritage council and to assume new responsibilities with regard to the discovery, protection and management of Québec's religious heritage.

Recommendation 23	42
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The Committee recommends that the majority of members of the decision-making bodies within a new Québec religious heritage council, i.e. its board of directors, executive committee and regional round tables, be laypersons, and that each body elect its own chair.

Recommendation 24	42
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The Committee recommends that the new Québec religious heritage council have the power to acquire religious heritage property of exceptional value and interest to Québec and the power to manage, administer, lease, transfer or alienate it.

Recommendation 25	43
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The Committee recommends broadening the new Québec religious heritage council's mission to include consulting and assistance for current and future owners of religious property so as to help them manage the property and ensure its continued existence.

Recommendation 26	44
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The Committee recommends that the new Québec religious heritage council and the Centre de conservation du Québec work together to promote training and skills development for religious heritage artisans and conservators.

Recommendation 27	45
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The Committee recommends that the *Act respecting land use planning and development* be amended so that regional county municipalities (RCMs) are required to include in their development plans a list of the religious buildings and cemeteries in their respective territories that the new Québec religious heritage council has identified as being of historical, cultural or aesthetic interest.

Recommendation 28	46
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The Committee recommends encouraging partnerships between regional and local municipalities, Québec authorities (Québec religious heritage council, Ministère de la Culture et des Communications, and other departments, corporations and agencies) and religious authorities.

Recommendation 29	46
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The Committee recommends that one or more regional county municipality (RCM) representatives sit at the regional round tables of the new Québec religious heritage council.

Recommendation 30	46
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The Committee recommends that regional county municipalities (RCMs) be given responsibility for organizing public information meetings as part of the mechanism for the alienation of religious buildings and cemeteries.

Recommendation 31	47
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The Committee recommends continuing to provide recurrent public funding for the new Québec religious heritage council and enabling the council to invest not only in its existing religious heritage restoration program, but in new programs as well.

Recommendation 32	48
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The Committee recommends setting up a new funding program called "Religious Heritage Investments" along the lines of the *Placements culture* program, to match public funds to private capital in special funds created for that purpose.

Recommendation 33	49
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The Committee recommends giving local municipalities the power to exempt converted religious buildings from municipal and school taxes and property transfer duties if they are purchased by non-profit corporations to create and pursue charitable and educational initiatives, conduct scientific, artistic, literary or youth-training activities or in general undertake any initiative intended to enhance the social well-being of Quebecers, or if they are used to operate recreational centres or public sports and recreation facilities or for tourism purposes. There would still be charges, however, for water and sewage services and for garbage collection and disposal.

Briefs submitted by individuals and groups that appeared before the Committee

Assemblée de la fabrique de la paroisse Saint-Jean-Baptiste de Québec	24M, 24R
Assemblée des économes diocésains du Québec	10M, 10R
Assemblée des évêques catholiques du Québec	20M, 20R
Association de développement industriel et commercial (ADIC) de Sainte-Anne-de-la-Pérade	19M, 19R
Association des archivistes du Québec	51M, 51R
Association des cimetières catholiques romains du Québec	83M
Association québécoise de défense des droits des personnes retraitées et préretraitées (AQDR), Granby	9MR
Atelier d'histoire d'Hochelaga-Maisonneuve	57M, 57MA
Audy, Diane	64M
Bas-Saint-Laurent regional round table of the Québec Religious Heritage Foundation	104M, 104R
Canadian Association for Conservation of Cultural Property	35MR
Canadian francophone section of the International Council on Monuments and Sites (ICOMOS)	75M, 75R
Caparros, Ernest	109M
Cénacle eucharistique (Maison de l'âme)	63M
Centre d'histoire des régulations sociales, Centre universitaire d'études québécoises, Centre interuniversitaire sur les lettres, les arts et les traditions, Canada Research Chair in Contemporary Political History and Economy in Québec, Canada Research Chair on Heritage, Montréal History Group, Institut d'histoire de l'Amérique française and Société canadienne d'histoire de l'Église catholique	77M
Centres d'archives agréés du Saguenay–Lac-Saint-Jean	96M
Centre historique des Soeurs de Notre-Dame du Bon-Conseil de Chicoutimi	5M
Chambre des notaires du Québec	17MR
CLD and MRC de La Mitis	103M, 103R

Cloutier, Jean-Yves	22M, 22R
Comité de défense de l'église Sainte-Amélie	101M, 101MA, 101MB
Comité de sauvegarde de l'église Saint-Laurent	106M
Comité de sauvegarde de l'église Saint-Julien de Lachute	71M
Comité diocésain du patrimoine religieux de l'Église catholique de Québec	36M, 36R
Comité multisectoriel du patrimoine religieux (CMPR) de Portneuf	49M, 49MA
Comité provisoire sur le patrimoine religieux catholique (CPPRC) du diocèse de Chicoutimi	13M, 13R
Commission de la capitale nationale du Québec	67M
Commission franco-québécoise sur les lieux de mémoire communs and Société québécoise d'ethnologie	18M, 18R, 18MA, 18MB
Conseil de la culture de Lanaudière (CCL)	21M, 21R
Conseil de la culture des Laurentides (CCL)	94M, 94R
Conseil de la fabrique de Saint-Jacques	11MR
Conseil de quartier de Saint-Jean-Baptiste	70M
Conseil des monuments et sites du Québec	42M
Conseil québécois du patrimoine vivant (CQPV)	86M
Conseil régional de la culture du Saguenay–Lac-Saint-Jean	97M
Corporation archiépiscopale catholique romaine de Montréal	27M, 27R
Corporation du patrimoine et du tourisme religieux de Québec (CPTRQ)	65M
Cultural development officers of the regional county municipalities of Asbestos, Coaticook, Haut-Saint-François, Memphrémagog and Val-Saint-François	74M
Diocese of Nicolet	8M
Dufour, Julie	111M
Dynamique des handicapés de l'Estrie inc.	2M
Écomusée de l'Au-Delà	37M, 37R
Fabrique de la paroisse de Notre-Dame de Montréal	82M

Fabrique de Les Méchins	102M
Fabrique Saint-Vital de Lambton and Patrimoin'Art Lambton	30M, 30R
Faculty of theology and religious studies, Université de Montréal	118M
Faculty of theology and religious studies, Université Laval	114M
Fédération des sociétés d'histoire du Québec (FSHQ)	92M, 92R
Fédération québécoise des amis de l'orgue (FQAO)	12M, 12R
Fédération québécoise des municipalités	60M
Fondation Clara-Bourgeois	107M
Fondation de l'Héritage	66M
Fondation Domus Domini	59M, 59R
Fondation Saint-Roch de Québec	113M
Gauthier, Richard	6MR
Groupe immobilier Prével	69M
Héritage Montréal	46M
Institut de pastorale de l'Archidiocèse de Rimouski	99M, 99MA
Joyal, Serge (Senator)	47M
La Rochelle, Johane	78M
Leduc, Antoine	50M
Marsan, Jean-Claude and Raymonde Gauthier	52M
McConnell, Grant-D.	116M
Mission patrimoine religieux	15M, 15R
Monastère des Augustines	4M
Montréal regional round table of the Québec Religious Heritage Foundation	29M, 29R
Montréal and Québec Anglican dioceses	28M, 28R
Montréal Heritage Council	56M, 56R
Montréal Museum of Fine Arts	61M, 61R

MRC and CLD de La Côte-de-Beaupré	58M
Musée des religions de Nicolet	53MR
Musiol, Marie-Jeanne	79M
Noppen, Luc and Lucie K. Morisset	45M, 45R
Ordre des architectes du Québec	68M
Orgue et Couleurs	39M
Paroisse Saint-Romuald de Farnham	16M
Pierres Vivantes de Saint-Pierre-Apôtre (Living Stones)	54M, 54R
Pineault, Stéphane	108M
Presbyterian Church–Montréal Consistory	76M
Prêtres de Saint-Sulpice de Montréal	43MR
Québec Anglophone Heritage Network (QAHN)	85M
Québec Religious Heritage Foundation	34M
Regroupement des archivistes religieux (RAR)	91M
Rocher, Marie-Claude	88M, 88MA
Saintonge, Daniel	32M
School of architecture, Université Laval	41M
Société d'histoire de la seigneurie de Chambly and Fondation du patrimoine religieux de Chambly	26M, 26R
Société d'histoire de l'Outaouais	55M
Société d'histoire du patrimoine religieux et civil du Québec	84M, 84MA, 84MB
Société pour la promotion de la danse traditionnelle québécoise	90M, 90MA, 90MB
Société Saint-Jean-Baptiste de Québec (SSJBQ)	40M, 40R
Table de concertation sur les archives du Saguenay–Lac-Saint-Jean/Chibougamau–Chapais	98M

Trudel, Jean	1M, 1R
Turgeon, Laurier	87M
Turmel, Claude and Clément Demers	7M, 7R
Unité Pentes-Côtes	89M
Ville de Gatineau	81M, 81R
Ville de Montréal	62M
Ville de Québec	93M, 93R
Ville de Rivière-du-Loup	105M, 105R, 105MA, 105MB
Ville de Saguenay	44MR

Briefs submitted by individuals and groups that did not appear before the Committee

Amis de l'Orgue de Montréal (AOM)	23M
Assemblée de la fabrique de la paroisse Sainte-Famille	31M
Beauchemin, Pierrette	73M
Bouchard, Antoine (Father)	120M
Brunelle-Lavoie, Louise	110M
Canadian Jewish Congress	117M
Conseil de la culture de l'Estrie	80M, 80R
Décary, Simon	25M
Fabrique de St-Adolphe d'Howard	115M
Fréchette, Gérard	72M
Garcia, Gina	33M
Geltman, Harold	14M
Lapointe, Anne	3M
Leduc, Reine-Aimée	38M
Little, Sharon	119M
Montréal Historical Society	48M
Paroisse Saint-Martin-de-Val-Bélair	95M
Regroupement des agentes et agents du réseau Villes et villages d'art et de patrimoine (RARVAP)	112M

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SUMMARY

Believing in QUÉBEC'S RELIGIOUS HERITAGE

Québec's religious heritage is a living heritage, with inseparable tangible and intangible components. Public authorities have been paying special attention to it for over 10 years. Since the inception of the Québec Religious Heritage Foundation in 1995, several measures have been taken to ensure that property belonging to the various religious traditions in Québec is restored; nonetheless, many voices have called for increased preservation efforts.

To address this issue, on November 23, 2004, the National Assembly's Committee on Culture decided to hold consultations on the future of Québec's religious heritage and to make recommendations. To this end, the Committee prepared a consultation paper that was extensively distributed. Public consultations were held between September 20, 2005 and January 25, 2006. There was also an online consultation. The Committee received 120 briefs and 69 replies to the online questionnaire. It heard 102 of the individuals and groups that submitted briefs or completed the questionnaire. Researchers, academics and experts interested in heritage issues, canon law and the protection of cultural property also contributed to the reflection. The Committee further enriched its knowledge by sending a delegation to Belgium and France from February 5 to 10, 2006.

The Committee found that the people of Québec have a genuine attachment to their religious heritage and that its preservation is a concern shared by the community of believers and those who have a special love for Québec's heritage. The Committee is of the opinion that safeguarding religious heritage is everyone's concern and that all stakeholders must join together in a dialogue on the issue. Ecclesiastical and religious authorities and corporations are the most directly concerned with the protection of this heritage, given its essentially religious nature. The Government must also fulfill its responsibilities and play a role, both as contributor and supporter, as it has notably done since 1995 by providing funds to the Québec Religious Heritage Foundation. The Foundation has successfully fostered dialogue by bringing together representatives of Québec's various religious persuasions and of the Government. These two parties are essential for a meaningful dialogue to occur, but they must also be joined by all the other stakeholders in the protection and enhancement of religious heritage, including regional and local municipalities, educational and research institutions, provincial, regional and local museums, historical societies, heritage preservation groups, community organizations and citizens themselves.

To further this dialogue, and to answer the questions raised in its consultation paper, the Committee is suggesting four major themes of future action: **knowledge**, **protection**, **transmission** and **management**. The Committee has made 33 recommendations and has illustrated its recommendations with drawings and tables.

The issue of the knowledge of religious heritage is addressed in the first part of this report, since enlightened choices cannot be made without knowledge of the subject at hand. It is obvious that our knowledge of religious heritage is fragmentary and that inventories of immovable religious property must be completed, inventories of movable religious property must be drawn up and a program of surveys must be devised so that people may discover Québec's intangible religious heritage. It is suggested that priority be given to taking stock of religious archives and organs and to promoting training and research in the religious heritage field.

The second part of this report pertains to the **protection** measures the Committee is recommending. After acknowledging the ownership rights of ecclesiastical and religious corporations, the Committee is proposing the adoption of measures that range from establishing a mechanism for the alienation of religious property to the adoption of appropriate legislative provisions to give the Ministère de la Culture et des Communications the power to place “heritage encumbrances” on religious buildings and cemeteries. Since it will probably take some time before these measures can be adopted, the Committee recommends the imposition of a moratorium suspending the alienation and alteration of religious buildings and cemeteries, effective retroactively to the date this report is tabled and until January 1, 2008.

In the third part of this report, the Committee makes recommendations to ensure the **transmission** of our religious heritage to future generations. To educate all citizens about the major role that religious heritage has played in Québec’s history and its central place in the urban and rural fabric, the Committee proposes adopting measures to support efforts to enhance religious heritage, promote religious tourism and make young people more aware of the importance of our religious heritage, and organizing Religious Heritage Days based on the *Journées de la culture* model.

The last part of this report deals with the **management** of religious heritage by the various stakeholders who become involved at one time or another in preserving this heritage. The report calls for strengthening the coordination role of the Ministère de la Culture et des Communications and for the participation of other government departments, corporations and agencies. Likewise, the Committee is asking for regional and local responsibilities to be recognized in this area. It has also come to the conclusion that the Québec Religious Heritage Foundation should be turned into a Québec religious heritage council, and that civil society should be allowed to play a larger role in the new council. Furthermore, the Committee is proposing new missions for the council, particularly with regard to conversion assistance, consulting and support services, and raising public awareness about religious heritage. It believes there is a need for a diversification of funding formulas: it is recommending continued recurrent funding for the new Québec religious heritage council and the creation of a program similar to *Placements culture* to foster the involvement of private enterprise in the protection of religious heritage.

In the conclusion of this report, the Committee states that preserving our religious heritage should be part of a sustainable development strategy and that the measures it is proposing for adoption by the Government would help protect property, sites and landscapes that are a source of pride and solidarity in Québec and would help pass on what are considered defining traditions, customs, values and knowledge. Believing in Québec’s religious heritage is thus one of the building blocks of a sustainable future.

