

C A N A D A

PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL

N° 500-17-108353-197

S U P E R I O R C O U R T

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ICHRAK NOUREL HAK

- and -

NATIONAL COUNCIL OF CANADIAN  
MUSLIMS (NCCM)

- and -

CORPORATION OF THE CANADIAN  
CIVIL LIBERTIES ASSOCIATION

**Plaintiffs**

v.

THE ATTORNEY GENERAL OF QUÉBEC

**Defendant**

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**AFFIDAVIT OF AMRIT KAUR**

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I, the undersigned, AMRIT KAUR, residing and domiciled at [...], do solemnly affirm the following:

1. I moved to Canada from England in 1995 with my family. My father was recruited to work at Bell Helicopter in Mirabel, and my mother was hired by IBM in Montreal.
2. I have lived almost exclusively in Québec since coming to Canada, learning to speak French and growing up to see the province as my home. I went to elementary school in Kirkland, high school in Ste-Anne-de-Bellevue, and CEGEP at John Abbott College. I completed my undergraduate degree – a joint Bachelor's in Anthropology and Sociology – at Concordia University in 2017.
3. I have recently completed a Bachelor's in Education at the University of Ottawa and living in Ottawa, although I return to Montreal almost every week since my family and many of my friends are still in Québec.

4. I am now eligible to apply to start supplying schools on the emergency teachers' list. My full certification from the Ontario College of Teachers should be approved in July 2019. Once that is complete, I can apply for my Québec teaching license. My understanding is that my Ontario certification must be accepted in Québec under the Education Act and that Québec will be obliged to issue me a teaching license.
5. Since my family and many of my friends remain in Québec, I obviously want to be permitted to teach in the province.
6. I am a practicing amritdhari Sikh. An amritdhari Sikh is someone who has received "Amrit" (the Sikh equivalent baptism) and has made a commitment to practice Sikh beliefs.
7. As a part of my faith, it is mandatory for me to wear my articles of faith which include a turban, kirpan, uncut hair, wooden comb, and long underwear at all times. Since 2016 I have been wearing a dastaar, or turban, as an article of faith. Prior to that I covered my head with a patka (a cloth like a bandana) for two years.
8. I wear the dastaar for multiple reasons. First, it is an article of faith: it reflects my commitment to a spiritual and disciplined life.
9. As a Sikh woman, I have the same right to exercise my religion and have the same accountability as any Sikh man. The dastaar is therefore a symbol of equality.
10. The dastaar also makes me noticeable in a crowd and allows me to be visible so that I can help someone in need if necessary.
11. Finally, I have uncut hair, which the dastaar keeps in place and organized. My uncut hair is also an article of faith: for Sikhs, refraining from cutting one's hair reflects an acceptance of divine will and of the fact that I was created the way I was supposed to be. Accordingly, I do not remove any facial hair or body hair, and I keep the hair on my head long.
12. I wear several other religious symbols. First, I wear the kara, which is an iron bracelet, on both of my hands. I have worn my karas for as long as I can remember. They remind me that I must do the right thing at all times.
13. Second, I wear a small kirpan under my clothing, which I began wearing in 2015. The kirpan is an article of faith that represents standing up to oppression and voicing my opinions.
14. Third, I wear long white underwear and have a wooden comb in my hair, also for religious purposes. The underwear represents constraint and self-control, and the comb represents hygiene and mental reflection.
15. These articles of faith are a part of me, the same way as a body part – so much so that I wear the dastaar at all times (at home, to sleep, in the shower – there is a

way – and when I am outside). It is an expression of my strong, deep commitment to my faith. No amritdhari Sikh removes their articles of faith at all.

16. When the Government introduced Bill 21, the *Act respecting the laicity of the state* (the “**Act**”), prohibiting public school teachers from wearing any religious symbols, I was shocked and appalled. The law makes me feel discriminated against and like a second-class citizen.
17. I already face barriers in society as a woman and because of my skin colour. Now, the Government itself is imposing more barriers on me because I am religious.
18. It is particularly ironic to me that, in the name of “equality”, the Government wants me to remove the very symbols that to me symbolize equality. It is also ironic that the Government is telling women what they can and cannot wear. No one should be permitted to tell women what not to wear, especially not the State.
19. Moreover, despite the fact that I was educated in Québec, I speak French, and until this point I have (thankfully) never been discriminated against because of my dastar, the Government is now making it obligatory for people to ignore my skill set and my abilities, instead forcing them to judge me without getting to know who I am or what I can do.
20. The Act would make it difficult if not impossible for me to work in Québec, since most teaching positions are in the public sector.
21. The Act also encourages the general Québec community to feel like they are entitled to be intolerant and to treat people like myself as deviants. I feel like people who don't know me, and who have never even been exposed to a Sikh, are asking me to leave to province because of my religious beliefs. The Government is promoting this intolerance, since the Act itself indicates that religious people have no place participating in state institutions that are supposed to represent them.
22. The Act presupposes that people whose faith leads them to express their beliefs through visible symbols are likely to try to bring religion into schools. Who is to say that someone without a visible sign of faith would not do that? Or that someone who is not religious at all is incapable of bringing some other kind of ideology into the school setting?
23. Ultimately, the consequence of this Act is that my human right to practice my religion – to express this intrinsic part of who I am – is being ignored and devalued by the Government itself.
24. The idea of being forced to “choose” between working as a teacher and wearing my religious symbols is ridiculous. This is not a choice at all – it is a demand that the government is making of me: “Do this or you will be penalized.”

25. I cannot just practice my faith part-time. I cannot choose to stop following my religion unless I say that I do not want to follow my faith anymore. My religion is part of who I am, as much as being a woman. The Government cannot tell me how to practice my religion – only I can make that decision.
26. The Act makes it clear that in the eyes of the Government, my religion and my way of expressing it do not matter. More than that, the Act sends the message that people of faith like myself are unwelcome in the public sector in Québec.
27. In part as a result of the tabling of Bill 21, I accepted a teaching contract in British Columbia that will begin in the fall of 2019. I want to be able to come back to teach in Québec : this province is still my home. But now, as a result of this Act, I don't know if that option will ever be open to me.
28. All of the facts contained in the present affidavit are true and to my personal knowledge.

AND I HAVE SIGNED : Amrit Kaur

MONTRÉAL, June 18, 2019

  
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Solemnly declared before me  
In Montréal, June 18, 2019

  
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Commissioner of Oaths for the Province of Québec



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**SIGNIFICATION**

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