

Bill 86 tramples on minority rights and should be scrapped

For immediate release

Montreal – March 24, 2016 – Bill 86 violates the constitutional rights of Quebec’s English-speaking community to control and manage its own schools and it must be scrapped, the Quebec Community Groups Network (QCGN) told the National Assembly on Thursday.

Quebec’s English public school system is a key institution of the English-speaking community of Quebec. The educational experience of children attending English schools must be of meaningfully similar quality to the educational experience of majority language students, QCGN told the Committee on Culture and Education that is examining the school board reform bill. QCGN invited the government to work with Quebec’s English-speaking community to achieve a model that will ensure substantive equality between the province’s minority school system and that of the majority.

“Stop mistaking equal with equality,” Secretary Walter Duszara told Education Minister Sébastien Proulx and committee members. “Applying the same rules to everyone ensures that great sections of society will be disadvantaged. The principle of substantive equality is well founded in law, and has been proven time and again the best policy approach for achieving societal objectives.”

“The QCGN believes that Bill 86 is bad, unnecessary, and unwanted legislation,” added Duszara. “We certainly have issues with the bill’s substance. However, it is the cavalier way the legislation was conceived and has arrived at the National Assembly for consideration that causes us – as Quebecers – great concern.”

The QCGN noted that no substantial public consultation was undertaken before Bill 86 was introduced and that no objective reasons have ever been presented in white paper or other policy document that justifies the revolutionary changes contained in the bill.

“Quebec’s English public schools – in addition to providing excellent education to students – exist to preserve and promote the language and unique culture of English-speaking Quebec,” said QCGN’s Director General Sylvia Martin-Laforge, an authority on linguistic minority education policy in other Canadian provinces. “Schools are key and central institutions of the English-speaking community of Quebec; and in many communities the last self-governed institution.”

“The management and control of these institutions is a matter of governance subject to minority language educational rights contained in the Canadian Charter of Rights and Freedoms and Quebec’s democratic tradition,” Martin-Laforge continued, noting the Government of Quebec must recognize and support the

linguistic and cultural rights of the English-speaking community of Quebec and work in partnership with its linguistic minority to ensure the effective management and control of the English public school system.

QCGN Board member Geoffrey Chambers declared that the Government of Quebec is not hearing the voice of English-speaking Quebec – nearly 14 per cent of its population. He further noted that the community is not equitably represented within the province’s civil service or Quebec’s political parties.

“Public discourse and policy development reflects a profound gap between the popular myth of English-speaking Quebecers and our minority’s reality,” he said. “English-speaking Quebec is not being heard in the public space, and our goals and concerns are unknown or misunderstood. Government policies and practices put in place to suit everyone, and which appear to be non-discriminatory, do not address the specific needs of English-speaking Quebec and are indirectly discriminatory. This is the very definition of systemic discrimination.”

The result, he said, is that only one third of English-speaking Quebecers believe that our community’s situation has improved in the past 20 years, and 60 per cent believe we will continue to weaken in the next two decades. “This not only directly effects Quebec’s capacity to keep English-speaking Quebecers in the province, but adversely impacts our collective need to attract and retain newcomers to secure our future.”

“There are solutions, which begin with Quebec recognizing and working with its English linguistic minority community,” insisted Duszara, warning that, if passed, it is quite possible this legislation will be the subject of a court challenge that will likely wind up in front of the Supreme Court of Canada.

“Last year, our community was here addressing the egregious effects Bill 10 would have had on our health and social services institutions,” Duszara recalled. “Why is our community being placed in a position where we must fight our provincial government? It is unnecessary and counterproductive. We do not want to be adversaries with our government, but constructive partners. We invite you to engage with us and our community.”

The Quebec Community Groups Network is a not-for-profit organization bringing together 48 English-language community organizations across Quebec. As a centre of evidence-based expertise and collective action, it identifies, explores and addresses strategic issues affecting the development and vitality of the English-speaking community of Quebec and encourages dialogue and collaboration among its member organizations, individuals, community groups, institutions and leaders.

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