

**BRIEF REGARDING BILL 84  
PRESENTED TO LA COMMISSION  
DES RELATIONS AVEC LES CITOYENS  
FEBRUARY 25, 2025**

This is a broad, powerful Bill. It could well reach into every part of Quebec society and involve all levels of government, professional bodies, community organizations and their events, employers and employees, newly arrived Quebecers and those who have lived here for generations.

It is no ordinary piece of legislation. Bill 84 is being accorded a status equal to that of the Quebec Charter of Human Rights and Freedoms, and, it is clear, is intended to be one of the pillars upon which an eventual proposal for a constitution of Quebec will be based.

Along with Quebec's rights Charter, the Charter of the French Language and Bill 21 which defines a secular state, Bill 84 seeks to establish not only that French is the official language of Quebec, but, in a very real sense, the only language Quebecers should use if they are to be considered full participants in this society.

And it seeks to establish a required adherence to a "Quebec culture" that is not specifically defined, but at present appears to evoke a narrower, more rigid expectation of just what that culture means and, perhaps more important, what it will exclude.

Defining this true Quebec culture more precisely, which will presumably occur with the policies and regulations that will become part of the Bill down the road, is crucial, because the proposed legislation places so much emphasis on the need for all Quebecers to embrace it.

**FOUR SPECIFIC CONCERNS**

That is why the Quebec Community Groups Network is concerned primarily with these four things:

- That this Bill, in what can only be interpreted as a deliberate, but powerfully symbolic omissions, contains no more than a fleeting, oblique reference to the English-speaking community of Quebec – a community which has played an enormous role in enriching and developing Quebec, economically, culturally, socially and intellectually, for more than two centuries.

- That this Bill creates a framework that would restrict the allocation of Quebec government financial assistance to organizations and/or events based on the degree to which those groups/events support the proposed national integration model.
- That this Bill engages in what could be called “definition creep” (going well beyond the Constitution of Canada) in defining Quebec as a quasi-sovereign nation state.
- That this Bill further subordinates fundamental rights in Quebec in the clear goal of creating a Quebec constitution.

As is readily apparent to anyone who has paid close attention to recent Quebec political history, Bill 84 is an intensely political piece of legislation that can be seen as part of a recent continuum of laws and regulations in which everything is considered subordinate to the issue of the primacy of the French language and culture, and the perceived need to protect it and enhance its presence at all costs. “Everything” includes:

Economic Development, in imposing tougher and tougher requirements for the mastery of French, even on temporary foreign workers who help fill gaping holes in Quebec’s labour force.

- The vitality of major Quebec universities which do most of their teaching in English and have had uncompetitive tuition fees imposed upon them along with requirements to ensure 80 per cent of undergraduates have an intermediate level of French proficiency whether they come from Seoul, Sacramento or Saskatoon.
- Fundamental rights – and the very Charter that was put in place to protect them.

## **WE HAVE A PLACE IN QUEBEC**

For us in the Quebec Community Groups Network, however, the most sobering question that arises from this Bill is about us, the English-speaking community of Quebec, which numbers more than one million Quebec residents, nearly 14 per cent of its population. And so the first question we would ask the Minister is this: What is our community’s place – what is our role in Quebec society – as Quebecers who speak English, in addition to speaking French?

Because if we are to judge by this proposed legislation, which makes next to no mention of us, nor any role we can and should play in integrating newcomers to Quebec, we fear the answer has been made abundantly clear: *we have none*.

We arrive at this conclusion largely because this Bill, in attempting to more fully define the sovereign nation state of Quebec within Canada, appears to narrow the definition of Quebec’s heritage and culture to one that is exclusively French, despite the enormous contributions non-Francophones – our community, First Nations and various other minority communities – have made to Quebec’s arts and culture, intellectual life, economic development and formidable institutions. We feel we are being written out of history.

That history is long and rich. It includes political and business leaders, many of whom were leading philanthropists. A list of leading members of the community would include prominent academics, artists, architects, musicians, poets, athletes, performers and merchants who made countless contributions to their communities, their municipalities, their province, their country and even to the world at large.

So we must ask: what are we to make of an Act, the practical effect of which, is to marginalize a community that has created so much, contributed so freely and built so many institutions that have been of enormous benefit to all Quebec and all Quebecers? What do you call that kind of action imposed on a minority community, even when it is cloaked as a vital line of defence required by the majority community?

### **WE ARE NOT THE ENEMY**

Here, it is important to interject a point we have been trying to make for some years, and which is appropriate to repeat. The English-speaking Community of Quebec is not the enemy of French in Quebec. As a community, we have embraced French. We have, in overwhelming numbers, learned to speak it and feel comfortable using it. Our level of bilingualism is somewhere north of 70 per cent and 92 per cent of us have a basic understanding of the French language – a sea change from the dark days of that apocryphal fat lady at Eaton's.

No, the threats to French do not come from us, or Bonjour/Hi; they are global in origin, emanating most particularly from the cultural behemoth of the United States. That is not our fault, and we do not feel we should be marginalized in our own home because of it. In fact, we have offered, and we continue to offer, to work with government, and with our francophone colleagues, friends, family and neighbours, to reinforce the presence of French in North America.

These are the reasons we are puzzled by our omission from anything but a brief mention in Bill 84's preamble.

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At this early stage, Bill 84 is deceptively benign, and that vagueness opens up a range of questions about the government's intentions when it comes to the Bill's execution, enforcement and effects that are as yet unspecified.

So let us ask these other questions:

- Does the Minister consider the English-speaking community's many contributions here to art, to literature and to music over the past two centuries to be part of this Bill's as-yet undefined "Quebec culture?"
- Does the Minister not agree that our community plays a de facto role in the integration of newcomers, a role that is tacitly understood in Bill 96, in the way it provides a six-month

period during which immigrants can learn French and come to interact with Quebec's government and society?

- Will the Minister consider an amendment to the bill to demonstrate a greater degree of inclusiveness and our role in integration in this legislation, before the Bill is passed by the National Assembly?
- Can the Minister explain who, or what body, will decide the standards community groups or event organizers will have to meet in order to guarantee that provincial funding will not be cut if they have been insufficiently supportive in upholding the law's aims?
- This leads us to ask (and we are not being facetious) whether, in addition to a language police to enforce the Charter of the French Language, Quebec must now employ a Culture Police to enforce the eventual policies and regulations of Bill 84?
- Why did the Minister feel it necessary to craft this law in a way that has it take precedence over Quebec's Charter of Human Rights and Freedoms?
- Will the Minister in any case make a commitment to ensure there will be no abrogation of rights and freedoms enshrined in that Charter as a result of Bill 84?
- Will the Minister also commit to not employing the Notwithstanding Clause?

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We in the QCGN are not alone in making these observations, or asking these questions, and nor are these questions and criticisms being expressed only in the language of Shakespeare.

## OTHER VIEWS

As you will hear over the course of these hearings (and at this moment, I'd like to thank the commission for inviting such a wide range of groups to weigh in on the Bill), trade unions, organizations dedicated to the protection of human rights, leading journalists in French media, and academics, have also seized on the Bill's vagueness, its undefined but implied intent to employ financial measures to encourage compliance, the narrowness of its definition of culture and the burden it will place on immigrants.

Please consider these excerpts from a recent article in *La Presse* by Université Laval sociologists Jean-Pierre Corbeil and Richard Marcoux:

« Le projet qu'on nous présente laisse perplexe quant à sa finalité réelle et quant à la relation entre les objectifs et les moyens qui seront mis de l'avant pour les atteindre. »  
« Si l'on ne peut qu'être d'accord avec l'énoncé selon lequel « la langue française est le principal véhicule de la culture québécoise, à laquelle tous sont appelés à adhérer et à contribuer [...] », encore faudrait-il reconnaître explicitement que cette culture est depuis plusieurs décennies en évolution et en mouvance constantes et qu'elle comprend déjà des composantes, des groupes et des communautés qui y ont contribué de façon importante, au premier chef les Premières Nations et les Inuit ainsi que de nombreuses communautés de langues et de cultures différentes, dont la communauté d'expression anglaise. En d'autres

termes, LA culture québécoise est assurément moins monolithique et figée que ce qu'on veut parfois nous laisser croire. »

This excerpt from an article by Université d'Ottawa political scientists David Carpentier and François Rocher, which supports the concept of the Bill, nonetheless finds it restrictive and potential confusing.

« Le PL84 accorde une place insuffisante à leur [immigrants'] épanouissement et à leur participation dans toutes les sphères de la société, pourtant essentiels au développement de leur sentiment d'appartenance envers une nation québécoise plurielle et francophone. »

An article produced by the Ligue des droits et libertés argues that this Bill threatens human rights, stigmatizes immigrants and ethnocultural communities, and contradicts Quebec's obligations under international human-rights law.

« Le PL84 vise à imposer les valeurs de la majorité plutôt qu'à ouvrir un dialogue respectueux des droits culturels de toutes et tous. ... Le projet de loi qu'il dépose contrevient ouvertement à ses obligations de reconnaître, de protéger et de mettre en œuvre les droits humains. »

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We mentioned at the outset that this Bill is broad in scope. Its breadth will become more evident as the policy and regulations to be attached to it are revealed, but one can already see how it will be all-encompassing.

The Bill mandates and empowers the Minister of the French Language to create a national integration policy within 18 months of the Bill's passage. This policy may address such topics as assistance for immigrants, "democratic values and Quebec values," access to Quebec cultural content and heritage property, the respect for the Quebec flag and other emblems, and the learning of French. The list is itself quite broad, and touches on the work of several other ministries.

## **THE EFFECTS ON RIGHTS**

This as-yet unarticulated policy will automatically apply to the entire civil administration as defined by the Charter of the French Language (i.e. all government ministries, municipal bodies, health and social service bodies, and school bodies). The Bill makes no mention of or exception for recognized (i.e. bilingual) bodies under Section 29.1 of the Charter of the French Language. The policy can also be extended to professional orders and to organizations or companies partly financed by government agencies.

The power and scope of this Bill are all the more concerning to us because of the ways in which we can already see an erosion of fundamental rights at work.

The Bill contains four amendments to Quebec's Charter of Human Rights and Freedoms. These are amendments to three central provisions (the preamble, the justification clause, and the interpretation clause), and one provision dealing with the rights of ethnic minorities. The effect of all these together is to pare back minority rights, not enhance them.

And yet, when it comes to describing the attributes of a Quebec society to which immigrants must adhere, there is no mention in this Bill of fundamental human rights beyond the equality of men and women and the secular nature of the state. One might have expected to have included such universally recognized fundamental rights as freedom of expression, freedom of religion and the right to full and equal recognition and exercise of human rights and freedoms as guaranteed in the Charter of Human Right and Freedoms.

We conclude with the observation that Bill 84 offers us a constitutional vision of a Quebec nation that imposes a sense of belonging centred around language. It appears to apply automatically and equally to bilingual municipalities, health and social services institutions, and English school boards – even though these institutions are carved off from some of the requirements in the Charter of the French Language. It is possible that the actual policy, once unveiled, might include exceptions, but as yet there is no guarantee or provision for this.

Its expressed intent to use the state's financial stick to encourage compliance concerns us; many of our member organizations are funded at least in part, by the provincial government. As we have seen on numerous occasions, Bill 96 and its associated regulations have provoked misinterpretations by officials at all levels who are left to enforce the law – whether it be in a bookstore or a hospital emergency ward.

Attempts to legislate identity, to define who is and who is not, are almost always fraught with complications, unfairness, social division, and the inevitable conflict between those who are allowed in and those who are excluded, those who have rights and those who don't. That is why the United Nations declaration on human rights adopted in 1948 was titled the *Universal Declaration of Human Rights* – written largely, it so happens, by John Humphrey, a legal scholar and a Montrealer from early in his university days and a source of pride for Quebec on the international stage.

In establishing the pillars of a constitution, it seeks to enshrine, we maintain that Quebec would do well to balance the understandable need to protect and promote the French language with a healthy measure of inclusivity its concept of integration now lacks and demonstrate the principles its very own Charter espouses.

With broader powers, comes the need for a broader view

