

**Comments at a Press Conference by William Johnson**  
**president of Alliance Quebec**

**February 1, 2000** - Today is a happy day for Alliance Quebec, for the entire English-speaking community and, if I may say so, for myself personally. Because today, we are announcing the most important action by far ever undertaken by Alliance Quebec, one which, if successful, could remove forever the sentence of slow strangulation that was passed on our community, and which leads some 10,000 English-speaking Quebecers every year, net, to leave their home province. We are challenging as unconstitutional the very heart of the anti-English prohibitions of the Charter of the French Language.

Il y a au pays deux Québec : le Québec des libertés, et le Québec de la répression linguistique. Le Québec des libertés nous a donné la Charte québécoise des droits humains et des libertés. C'est ce même Québec des libertés qui a implanté dans la constitution du Canada la Charte canadienne des droits et libertés.

Mais le Québec de la répression linguistique nous a donné la Charte de la langue française pour éliminer l'anglais comme l'une des deux langues officielles et langues communes du Québec.

Il y a le Québec de l'ouverture à l'autre, de la solidarité sociale et du respect des ethnies minoritaires et des peuples autochtones. Mais il y a aussi le Québec de l'intégrisme linguistique et de la domination ethnique.

Donc, les deux Québec sont en contradiction l'un avec l'autre. Le Québec est en contradiction avec lui-même. Et il est grand temps de résoudre ces contradictions en les soumettant à l'arbitre de nos droits et libertés, c'est à dire aux tribunaux.

That is why we are announcing today what I consider the most important action ever undertaken by Alliance Quebec. We are going to go to the heart of the contradictions in Quebec society, and we are going to ask the courts to judge whether Quebec is a free and democratic society under the Quebec and Canadian charters of rights and freedom, or whether the true Quebec is that which uses the law and the powers of government to stifle the English language.

Alliance Quebec will be the petitioner in a suit to have the courts declare unconstitutional those sections of the Charter of the French Language that inhibit the use of English in private enterprise.

(Technical note: Section 4, if it is interpreted restrictively to exclude English, Sections 41-50 on the language of labour relations, for instance Section 46: “The Office de la langue française has the power to decide any dispute”: the court has already found that illegal in the Montreal Chinese Hospital judgment; Section 100 insofar as it mandates the Office de la langue française to inhibit the use of English; Sections 135 to 154 on the francization of business firms;)

Alliance Quebec will be the petitioner because private businesses are too intimidated by the power of the Quebec government to defend their rights. Time and time again, we have been in touch with firms and individuals who felt their rights were violated, and we agreed, but they did not dare to defend their rights for fear of retribution by the government and by intolerant ultra-nationalists

As a result, there has never been a court case attacking the provisions of the law with respect to language of work. There is a case now before the court of pharmaceutical workers demanding the right to use English computer software, but the case does not challenge the law, it only claims abuse of the law.

So we will go before court to ask for standing on behalf of the English-speaking community to defend those who are prevented by fear and by the chilling power of the government from defending themselves. We will be represented by two outstanding lawyers whose achievements in civil rights are beyond my power to praise: Me Brent Tyler, who will be assisted by Me Guy Bertrand.

Vous savez tous que Me Tyler a gagné la cause du Lyon and the Wallrus l’automne dernier, et obtenu un jugement d’une lucidité extraordinaire qui a affirmé la primauté de la liberté d’expression. Me Bertrand a réussi l’impossible. Comme simple citoyen, il est allé devant la Cour supérieure pour obtenir une déclaration que la procédure sécessionniste du premier Ministre Jacques Parizeau violait ses droits comme citoyen et violait la Constitution du Canada. Il a eu gain de cause. C’est lui, en définitive, qui a amené le gouvernement fédéral à se résoudre à l’envoi devant la Cour suprême sur le droit du Québec à la sécession unilatérale. C’est à lui qu’on doit ce jugement lumineux du 20 août 1998.

We will build on the judgment of Judge Danielle Côté of last Oct. 20 in the Lyon and the Wallrus case. She ruled that freedom of expression is the normal state in our free and democratic society. To limit freedom of expression requires proof that there is a sufficiently serious matter of public interest to override the freedom of the citizens guaranteed by the Quebec and the Canadian Charter of Rights. Barring such a demonstration, and proof that the restrictions are proportional to the legitimate objective, freedom reigns, and the restrictive law is struck down.

Next month, Quebec's appeal against that decision will be heard in Superior Court. I tell you now: Judge Côté's ruling will be upheld. And it will be upheld all the way to the Supreme Court of Canada. Freedom will be more powerful than repression.

No proof has ever been submitted that French must be enforced by government fiat in private enterprise in Quebec. No proof can be submitted. The careful studies of the Gendron Commission demonstrated in 1973 that most French-speaking people in the labour force worked in French to the extent of 87 per cent of the time. (Tableau 1.17). The headline in *Le Devoir* on Jan. 28 1973: **“Affirmant que le français n'est pas menacé/ Le rapport rejette toute coercition. »**

The Conseil de la langue française published its study on the use of French in public discourse last summer and found that French was used generally in public discourse more than 85% of the time. So the argument once made that the precarious state of French requires suspending our freedoms does not apply now, if it ever did.

Let me say that I consider this important case as my own swan song as president of Alliance Quebec. At our convention in May, I will not be a candidate, having completed two terms as president.

I have succeeded in half of what I set out to do. We succeeded in turning Alliance Quebec around on two fundamental issues: the terms of secession, and the vision of the Charter of the French Language. During the 1995 referendum, almost none of the major voice speaking for English Quebec came to the defence of the rule of law, the principle of federalism and the rights of minorities if Quebec were to secede. We adopted six principles in 1998, three months before the Supreme Court pronounced itself on secession, and what we adopted turned out to be four-square what the Court then said. And now, the Clarity Act, Bill C-20 of the federal Parliament, against represents squarely what Alliance Quebec has stood for over the past two years. The main stream has come to us, and that victory will not ever be lost.

On language rights, most of the voices speaking for the English-language community bowed to the repressive vision of the Charter of the French Language, accepting its main thrust, while merely striving for marginal accommodations and the removal of irritants. We did not. We said and say that the central vision of the Charter of the French Language is to marginalize and ultimately strangle the English-speaking community. We demanded the restoration of freedom and the recognition that English IS one of the two official languages and common languages of Quebec.

We were vindicated by the judgment of the Lyon and the Wallrus, and we think we will win a definitive victory when the courts pronounce themselves on the language of work law. This good work for our community will continue.

But, when I set out to run for the presidency, I hoped to rally our community, our community broadly, to the six principles that I was offering. Alliance Quebec has rallied without qualification to these six principles, but unity has not come to our much confused, much fragmented community.

I now think that my image, cultivated in the press, as a radical, as a “pit-Bill”, is an obstacle to the unification of our community. We need to speak with a united voice. Only when we can speak with a united voice will we have the influence on public policy that our numbers, our history, our rights warrant.

So I think it’s time for me to finish my term and then let someone else with a better image and more diplomatic skills to take over as president.

But our fight for freedom and our constitutional rights will continue. Vive le Québec *vraiment* libre.