

Montréal East Partnership for the English-speaking Community (MEPEC)
Brief to the Committee on Institutions
Bill 1, Québec Constitution Act, 2025
November 24, 2025
Executive Summary

Bill 1—the *Québec Constitution Act, 2025*—would unilaterally create a provincial constitution, amend more than 20 statutes, and establish new institutions governing constitutional interpretation and intergovernmental relations. MEPEC’s concerns focus on legitimacy, concentration of power, and the bill’s impact on civil-society organizations, including those serving English-speaking Quebecers.

Democratic Legitimacy

Bill 1 is being advanced through the ordinary legislative process with no expert commission, no public consultation, and no province-wide dialogue. A constitution requires broad societal consent, yet the government is proceeding on the basis of a partisan majority elected with support from fewer than one in five Quebecers. This falls short of the legitimacy expected for a foundational law that would redefine the state and the rights of its residents.

Concentration of Power

The bill declares the new constitution supreme “over any inconsistent rule of law,” abolishes the Lieutenant Governor, and replaces the Crown with an “Officer of Québec” appointed by the Premier. It creates a *Conseil constitutionnel* elected by the National Assembly without guarantees of independence or dissenting opinions. These changes centralize authority in the executive and legislature and weaken judicial oversight—undercutting the checks and balances that protect minority rights.

The bill also elevates the “Québec nation” as the source of collective rights without defining who belongs to it. This ambiguity gives the government of the day broad discretion and introduces uncertainty for minority communities about representation, belonging, and rights protection.

Impact on Non-Profits and Federal Collaboration

The *Act respecting Constitutional Autonomy of Québec* (ACAQ) would prohibit publicly funded bodies—including non-profits—from using any portion of their budgets to challenge laws the government deems to protect the “Québec nation,” exposing directors to personal liability. It also empowers the provincial government to order organizations to refuse federal transfers or withdraw from federal agreements. This threatens the operational autonomy of non-profits—English and French alike—that rely on federal partnerships to deliver essential services.

Minority Inclusion

Despite a symbolic reference to English-speaking institutions, Bill 1 provides no substantive protection for minority or linguistic rights. By prioritizing collective rights tied to an

undefined “nation,” the bill risks deepening alienation among English-speaking Quebecers and undermining the equal citizenship that a constitution should affirm.

Key Recommendations

1. Pause the legislative process and launch a broad, transparent public consultation.
2. Preserve independent judicial oversight and limit legislative supremacy.
3. Protect the autonomy of civil-society organizations, including access to federal programs.
4. Explicitly guarantee equality and minority rights in the constitutional text.
5. Require published impact analyses and formal consultation for any future constitutional initiative.

Conclusion

MEPEC supports open, good-faith discussion about Quebec’s constitutional development. But Bill 1, as drafted, centralizes power, weakens oversight, and constrains the ability of community organizations to serve Quebecers. A legitimate constitution must unify the province and protect the rights and participation of all who call Quebec home—not narrow them.

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1. About MEPEC

The Montréal East Partnership for the English-speaking Community (MEPEC) is a regional non-profit organization that serves the interests of the English-speaking population of the Montréal-Est (25 000 people). To do so, MEPEC connects with citizens, organizations, and institutions; facilitates access to services; and strengthens community vitality in collaboration with government and social partners. MEPEC is part of a province-wide network of organizations working to promote the vitality and inclusion of Quebec's English-speaking communities and receives a portion of its funding from federal programs that support official-language minority communities.¹

2. Purpose

MEPEC submits this brief to assist the Committee on Institutions studying Bill 1 – *Québec Constitution Act, 2025*. Our comments are non-partisan and focus on democratic process, institutional balance, and the ability of non-profits to participate fully in Québec's public life.

3. Process and Legitimacy

Bill 1 was introduced on 9 October 2025 through the ordinary legislative process, not a constitutional or constituent one. No public consultation, expert commission, or societal dialogue preceded it. Although titled a "constitution," it amends more than 20 laws and enacts three new statutes—the *Constitution of Québec*, the *Act respecting Constitutional Autonomy of Québec* (ACAQ), and the *Act respecting the Conseil constitutionnel*. This approach bypasses the entrenched amendment procedures in the *Constitution Act, 1982* (ss. 38–45) and undermines the foundational principle that constitutions derive legitimacy from broad consent, not ordinary majority rule.

We pause here to consider this idea of majority rule. In the 2022 provincial election, held on October 3, Québec's Coalition Avenir Québec (CAQ) secured a strong legislative majority under our first-past-the-post system. The party received 1,685,573 votes, representing about 41 percent of all valid ballots cast—but only 26.7 percent of registered electors and roughly 19.5 percent of the province's total population (Élections Québec, 2022). Out of an estimated 8.64 million residents (Institut de la statistique du Québec [ISQ], 2023), only 4.17 million people voted, while 6.3 million were eligible (Élections Québec, 2022). In effect, the CAQ's commanding majority in the National Assembly was produced by fewer than one in

¹ MEPEC provides the same kinds of community-based services and supports that French-speaking minority organizations receive in other provinces, reflecting the standard expectations for official-language minority communities across Canada. When these services fall under provincial jurisdiction, federal and provincial governments are expected to work together to ensure the minority community's vitality is effectively supported. Their respective obligations toward English- and French-speaking minorities are firmly grounded in Canada's constitutional framework.

five Quebecers. This disparity between seats and votes illustrates how Québec's electoral system can translate a plurality of support into overwhelming political power, raising legitimate questions about democratic representation and inclusiveness in major governance reforms such as Bill 1 (Director General of Elections of Québec, 2023).

A process of this magnitude must be open, accessible, and inclusive. It must actively involve and hear from as many Quebecers as possible. This is far more than a matter of asking a few simple questions or conducting a survey. Before meaningful consultation can occur, the population must first be informed and educated about what a constitution is—its purpose, its implications, and the range of issues it could and should address. Québec has a long and proud history of conducting thoughtful, province-wide consultations on major societal questions. Surely, the adoption of a constitutional law—one that would define the very nature of the state and the rights of its people—demands no less.

MEPEC believes that a constitution must emerge from an inclusive, participatory process reflecting Québec's diversity—linguistic, regional, and cultural—if it is to command legitimacy and foster unity.

4. Governance and Concentration of Power

Bill 1 declares the new Constitution supreme “over any inconsistent rule of law” (s. 2) and abolishes the office of the Lieutenant Governor, replacing it with an “Officer of Québec” appointed by the Premier. It creates a Conseil constitutionnel chosen by the National Assembly to decide constitutional matters, with no guarantees of independence and no dissent permitted. Together these changes consolidate authority in the legislature and executive, diminishing judicial oversight and removing checks that safeguard minority rights and public confidence.

The bill also redefines Québec as a “national State,” asserting collective rights of the “Québec nation” (ss. 7–15) that take precedence over individual and minority rights (s. 16). This shift departs from the liberal-democratic tradition of constrained power and rights-based governance, edging toward legislative absolutism.

5. Absence of a definition for the concept of the “Québec Nation.”

The draft constitution advanced by Bill 1 invokes the concept of the “Québec nation” as the cornerstone of collective identity, yet the text does not define that term. Sections 7 through 15 of the proposed Constitution assign collective rights to “the Québec nation,” but provide neither criteria of membership nor a guiding interpretive framework. In effect, this enables the government of the day to exercise considerable discretion over the scope and application of the term. This absence of definition raises significant concerns for minority

communities: who is encompassed by the term, whose voice is accorded weight, and how individual and minority rights will be treated when situated within an undefined collective.²

In short: Bill 1 elevates the “Québec nation” into the constitutional hierarchy without clarifying its boundaries. That ambiguity creates a power shift: from rights based on individuals and communities under the rule of law, toward rights grounded in a collective entity whose precise membership and limits are not legislated. For organizations serving English-speaking Quebecers, the implications are material: access to participation, sense of belonging, and capacity to challenge laws may depend on how that collective is construed.

6. Effects on Civil-Society Organizations and Federal Collaboration

The Bill proposes to grant sweeping executive powers with direct implications for community institutions:

- Prohibition on Court Challenges (*ACAQ*, s. 5): publicly funded bodies, including school boards and non-profits, may not use any portion of their budget to contest laws deemed to “protect the Québec nation.”
- Enforcement and Liability (*ACAQ*, s. 5(3), 27): directors approving such expenditures are personally liable for repayment; the Minister may order the Auditor General to investigate compliance.
- Control of Federal Collaboration (*ACAQ*, ss. 16–17): government may direct organizations to refuse federal transfers, terminate existing federal agreements, or withdraw from federal policy initiatives.

These provisions threaten the autonomy of non-profits that depend on federal partnerships in areas like literacy, health promotion, and newcomer integration. It would also profoundly affect the complex network of civil society organizations – French and English – that work together to provide services to Quebecers. Some organizations, like ours, receive most—but not all—of their funding from the federal government. Others rely primarily—but not entirely—on funding from the Government of Quebec.³

This is normal in a federal system, where citizens contribute tax dollars to both levels of government. We are after all simultaneously citizens of Canada and Quebec. It’s natural for groups like MEPEC and its partners to seek support from the appropriate jurisdiction and to leverage those resources to deliver the best possible services to their respective communities. Bill 1 introduces new powers to the Government of Québec to interfere in

² Some may contend that section 3 of the Charter of Québec resolves this issue by stating that “the Québec people is composed of all Quebecers” and that “the Québec people form a nation.” However, this assertion is not dispositive. It fails to clarify what is meant by “Quebecers” in the constitutional context. If the intent were to affirm expressly that the “Québec nation” includes all persons residing in Québec, such a formulation could have been adopted. The absence of such clarity preserves significant interpretive ambiguity and underscores the need for a precise definition within the constitutional text.

³ These provisions apply only to the entities listed in Schedule I of the *ACAQ*, not to all non-profits, at least not initially. But the government can add organizations to that list at will, without amending the statute, thanks to *ACAQ* s. 4.

these otherwise private relationships, which should not be the subject of governmental oversight. Doing so puts our sector unfairly in the middle of a jurisdictional friction between the Governments of Canada and Quebec. Even the perception of such restrictions could chill participation, eroding the cooperative federalism that sustains Québec's English-speaking communities.

7. Minority Inclusion and Sense of Belonging

Although the preamble acknowledges "institutions of the English-speaking community," Bill 1 provides no substantive protection of linguistic or minority rights. Again, we note the lack of clarity in the Bill. What is an institution of the English-speaking community? The primacy of collective rights risks marginalizing groups whose identities fall outside the government's definition of the "Québec nation." For many English-speaking Quebecers, this framing signals conditional belonging and heightens alienation. A constitution should affirm that all citizens share equal dignity and partnership in Québec's future.

8. Recommendations

- **Pause and Consult** – Suspend legislative passage and establish a broad, transparent public consultation process involving linguistic minorities, Indigenous peoples, youth, and regional voices.
- **Maintain Institutional Checks** – Retain independent judicial oversight and define the limits of legislative supremacy.
- **Protect Civil-Society Autonomy** – Exempt non-profits, educational and municipal bodies from directives restricting access to federal programs or funding.
- **Affirm Equality and Inclusion** – Explicitly guarantee the rights of English-speaking and other minorities in the constitutional text, consistent with the Québec Charter of Human Rights and Freedoms.
- **Ensure Transparency** – Require published impact analyses and formal consultations before any future constitutional project.

9. Conclusion

MEPEC supports open dialogue about Québec's constitutional evolution. But legitimacy depends on inclusion, accountability, and respect for Canada's constitutional framework. Bill 1, as drafted, centralizes authority, weakens judicial independence, and constrains civil-society collaboration. For communities like ours, which thrive on partnership and mutual trust, it risks replacing participation with control. Québec's future should be built on shared institutions that protect every resident's place in its public life.

References

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4. *Constitution Act, 1867* (UK), 30 & 31 Vict, c 3, reprinted in RSC 1985, Appendix II, No 5.
5. *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.