

For a future together

**alliance
québec**

Vers l'avenir ensemble



ALLIANCE QUEBEC BRIEF

To the Standing Committee on
Cultural Communities & Immigration
on the Charter of
the French Language

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INTRODUCTION

More than a year and a half ago, the Premier of this province publicly called for a dialogue on Bill 101. He stated the hope that the dialogue would be fruitful, and that it would be marked by reasonableness and good faith on the part of everyone concerned.

Alliance Quebec, which from the beginning of its existence has proven its commitment to reasonableness and good faith, remains convinced that Quebecers can attain a fair, meaningful and productive resolution of the language debate. This is a debate which has continued for too long, consuming or diverting energy, provoking friction, and causing, in human terms, considerable damage and loss. We can live together, French-speaking and English-speaking Quebecers, in dignity, security and mutual respect; the obstacles are not insurmountable, and it is time that they were removed.

The issue is the nature of Quebec society. Is our vision to be noble or narrow? Will we be a dynamic, magnetic focus of excellence, protecting the French language and making it flourish while recognizing our historic linguistic duality and benefitting from it? Or will we be a unilingual society, walled, moated and afraid? And which of the two will be the society of opportunity that we and our children deserve?

These are practical, not hypothetical questions. We address them with a sense of urgency. Demographic projections to the end of this century indicate a slower population growth for Quebec than for any other region of Canada. We are losing people, and we can ill afford to lose them. It is narrow and unhelpful to say that there has been an outflow trend for a decade or more. The fact is that people are leaving, taking with them skills and investments and jobs and roots, and depriving us of their historic involvement in Quebec. The fact also is that people are refusing transfer to Quebec, and that Bill 101 is the first of the two major reasons for their refusal. The outflow has increased, the inflow has decreased, and Quebec has seen its English-speaking community diminish by approximately 100,000 people since 1976.

With close to one million English-speaking people, the majority of them in the Montreal area but approximately 300,000 spread from the Gaspé to the Eastern Townships, from the Lower North Shore to the Outaouais, Quebec is a larger English-speaking province than New Brunswick, Nova Scotia, Prince Edward Island or Newfoundland. It is almost as large as Manitoba or Saskatchewan. And today, approximately two-thirds of English-speaking Quebecers consider themselves functionally bilingual.

The English-speaking community is not an ethnic entity. It is diverse and pluralistic, comprising people from a wide variety of ethnic origins. It is a linguistic

community, and it is tied together by the English language. Also, it is a community of great socio-economic diversity; there are more English-speaking Quebecers in Verdun, St-Henri and Pointe St-Charles than there are in Westmount.

The French-speaking community is no longer an ethnic entity either. Immigrants have come from Europe, Vietnam, North Africa, Haiti and elsewhere. It is now a linguistic community of great socio-economic diversity, tied together by the French language.

In times gone by, these two linguistic communities met primarily in English. Today, irreversibly, they meet primarily in French.

Together, we have built this province. Together, we have cleared the land, planted the farms, harvested the crops, founded the fisheries, built the businesses and industries, and established the institutions. We made Quebec the centre of banking and transportation, the textile industry and the pulp and paper industry, petroleum refining and pharmaceutical production and research. We created world-class centres of excellence: Laval and McGill and l'Université de Montréal, l'Institut de Cardiologie and the Montreal Neurological Institute. Both the French-speaking and the English-speaking worlds have been ours.

It has not always been easy, and it has not always been harmonious. The lessons of the past are important, but only if we use them to build a better future. The goodwill that is so evident today deserves to be recognized and used.

Alliance Quebec, rooted in the English-speaking community of this province, makes a sustained effort to be in contact with French-speaking Quebecers. Those contacts convince us that the people of Quebec want to feel confident in the security and vitality of the French language, but that they do not want a unilingual province.

The availability of services in English, with their attendant documents, is a recognition of reality and a manifestation of fairness towards close to one million people, not a threat to the future of French. The existence of English-language institutions serving those people is a historic fact of Quebec's development, and the benefits have been shared by all Quebecers.

It is a strength for all Quebecers that we can relate to the French-speaking world in French, as we must, and to the English-speaking world in English, as we must also. The denial of recognition, status and visibility to the English language, tending to make this a unilingual province, diminishes rather than enhances that strength.

The Premier has stated that nothing fundamental in Bill 101 will be changed. If that which is fundamental is that which protects the French language and culture, the door is truly open to dialogue. If that which is fundamental is also that which downgrades English and makes it invisible, moving Quebec towards becoming a unilingual province, then valid dialogue is impossible.

The people of this province have been moving towards consensus; this has been recognized by French-language and English-language editorial opinion, and by people in all walks of life, but not by the Government, which has remained insis- tently insensitive. Changes have long been promised, but they have not come; the Govenment has preferred to sustain a sterile ideological and dialectical conflict. The delay of constructive action has lasted far too long.

Bill 101 was created to protect French; it has been used to submerge English. Six years have passed, and Quebec has changed. It is time to assess those changes, not only in terms of the broad sweep of history, but in terms of their impact on people's daily lives: health care and social services, employment, business, government services, culture and education.

HEALTH CARE AND SOCIAL SERVICES

The primary focus of health care and social services must be the human being receiving them.

Human nature being what it is, the quality of care and service cannot help but be influenced by the satisfaction and motivation of the professional providing them.

The effectiveness of care and service, and the results obtained, are often dependent in significant measure on the effectiveness of the communication between the professional and the beneficiary.

Socio-economic and linguistic components are therefore of very great importance in any system of health care and social services.

It is contrary to the interests of all Quebecers that our health care and social service institutions should be a political, linguistic or cultural battleground.

The socio-cultural and linguistic diversity of Quebec's population should, to the full extent that such response is possible, find reflection - or, at the very least, sensitivity - in the health care and social services we provide.

If it is important that a French-speaking patient be able to be cared for in French, it is equally important that an English-speaking patient be able to be cared for in English; and, if it is possible for a Polish-speaking patient, for example, to be able to be cared for in Polish, that is desirable and will tend to enhance the effectiveness of care and service.

Respect for the religious beliefs and observances of each beneficiary should also be an objective of our health care and social service system.

Our institutions will vary in the composition of their staff, in their ambiance and in their socio-cultural, religious or linguistic identity. They must not vary, however, in their ability to serve whatever spectrum of Quebec's population presents itself at their doors.

Alliance Quebec fully supports the right of every Quebecer to be cared for in French. Every institution of the English-speaking community subscribes to this principle and strives to implement it in practice. We believe, however, that this responsibility is incumbent on the institution itself rather than on every single one of its employees.

Quebec's English-speaking community has built a major network of health care and social service institutions; together with English-language school boards and schools, they indispensably make the English-speaking community what it is.

Like their French-language counterparts, many of them have achieved world-class standards and world renown, and have attracted professionals of the highest calibre. Their excellence reflects the vitality of their community and is an asset for all Quebecers. They must be maintained.

English-language institutions do not, however, exist throughout the province; there are regions which have significant concentrations of English-speaking population but only French-language health care and social service institutions. Alliance Quebec puts forward the principle that English-speaking Quebecers should be able to be cared for in English throughout the province, as an institutional responsibility. We are pleased that this principle has received endorsement from members of the Government, and call for its embodiment in law and in practice.

English-language institutions must be able to communicate fully and effectively in French; but it is unreasonable and illogical to prevent them from communicating within and between themselves in English. Indeed, it may be deleterious to patient care, disruptive of functional efficiency, and wasteful of time which might be better used in the actual provision of service. The law should explicitly permit English-speaking people and English-language institutions to communicate among themselves exclusively in English.

English-language institutions must continue to be valid sources of employment for English-speaking Quebecers. In particular, the present employment of any person should not be jeopardized. Also, the formal tests currently required by the Office de la langue française under Article 20 of Bill 101 for employment, promotion or transfer are unreasonable and should be abolished.

In particular, English-language institutions should not be compelled to confront their English-speaking clientele, seeking care, service and consideration, with unilingual French-language forms. Measures must be taken to ensure the availability of these forms in English.

Article 113(f) of Bill 101 recognizes the distinctive linguistic and socio-cultural character of English-language institutions. This will end, however, on December 31st, 1983, with the entry into effect of Articles 15 to 23 of the law. The resultant erosion of English-language services, the reduction of the attractiveness of those institutions to persons of expertise from outside Quebec, and the increase of insecurity among present employees, would constitute an unacceptable undermining of the English-speaking community and of valuable Quebec institutions.

The law must be amended so as to provide permanent recognition of English-language institutions, and indeed so as to permit the creation of new English-language institutions as the need may arise.

In summary, the statutes and public policies of this province must clearly establish the right of the English-speaking Quebecer to be cared for in English; the right of the English-speaking Quebecer, even if unilingual, to work in an English-language health care or social service institution, as long as the institution itself is fully capable of providing its services in French; and the right of the English-language institution to be English-speaking, i.e. to use English without fear or harassment. People presenting themselves at an English-language institution, whether for care, employment or information, should expect to hear English spoken and see it written, and find it normal. Otherwise, what is an English-language institution?

Testing of professionals

French-language testing for professionals educated in Quebec should be abolished. The fact of graduation from Quebec's educational system, which requires passing prescribed courses in the French language, should be sufficient. Indeed, Article 84 of Bill 101 states that: "No secondary school leaving certificate may be issued to a student who does not have the speaking and writing knowledge required by the curricula of the Department of Education."

English-speaking Quebecers should, where such a requirement is an appropriate criterion for employment, be obliged to demonstrate their ability to function in French - but not in a discriminatory way. A Quebec secondary school

leaving certificate should be automatically accepted as furnishing that demonstration.

In addition, the special linguistic requirements of a particular occupation should be met by specific preparatory courses and/or by on-the-job training. The doors of opportunity should be opened for all Quebecers, rather than having selective obstacles placed in front of them.

Alliance Quebec has documented evidence of the selective difficulties encountered by some English-speaking professionals, notably nursing assistants, who are failed in their French tests despite repeated efforts, serious study, and obvious practical ability with the French language. Public authorities must deal justly and equitably with all members of their society.

Regulations, interpretations and applications of Bill 101

In the reality of daily life, Bill 101 and its administrative apparatus have brought confusion and fear, mistrust and uncertainty to thousands of committed and well-motivated Quebecers.

The law itself and its regulations are fundamental factors in this unhealthy climate; hence our unremitting pressure for appropriate amendments. A major source of friction and discontent, however, is the Commission de surveillance.

Its disregard for the basic principles of natural justice should be repugnant to all Quebecers. The right to be fully informed about the nature of an accusation, to know and confront and cross-examine one's accuser, to be heard according to due judicial procedure, are sacred in our society. No administrative body should have the authority or freedom to set any part of that right aside.

If we have reached a point where nurses in English-language hospitals are refusing to wear their name badges for fear of anonymous informants, there is a poison abroad in Quebec society which no democracy can tolerate. We call on the Government to set its house, our house, in order, and restore decency and the rule of law to Quebec.

English-speaking health care and social service professionals have made signal contributions to the health and welfare of Quebecers, without regard to the language of the beneficiary. They should be encouraged to make their careers here, whether born and educated in our midst or looking at us from elsewhere. Illness and distress make no distinctions of language, but our response to them will be more effective if we take the language of the patient or client into account. That is why we have English-language institutions; that is why, in the interests of all Quebecers, they must be maintained.

EMPLOYMENT

Alliance Quebec recognizes and accepts that French is, and should be, the predominant language of work in Quebec. We also believe, however, that this principle must and can be respected in a manner which will not cause English-speaking workers to lose their jobs. English-speaking Quebecers must be encouraged to remain in Quebec and to continue their contribution to our province's economic prosperity.

In 1977, the Government of Quebec promised that not a single job would be lost as a result of Bill 101. It has not kept faith with the workers of this province. We are aware of individuals who, as a result of the application of Bill 101, have lost their jobs, who have been deprived of the means of earning their livelihood at a time when jobs are scarce and unemployment is at an all-time high. Bill 101 has created obstacles, such as Article 20, to the hiring, promotion and transfer of English-speaking Quebecers in the public sector. It has, under Article 35, placed impediments on access by English-speaking Quebecers to an increasingly French workplace. Yet it is precisely in the workplace that the best and most effective French-language training of workers can be achieved.

In addition, the administrative requirements which have been imposed by the Office de la langue française are far less related to actual job requirements than the text of Articles 20 and 35 would indicate. For example, the Commission de surveillance has recently called on a business to account

for the fact that one of its waitresses was unable to answer fully in French a question relating to the nutritional content of the food she was selling.

Moreover, Articles 130 and 142, which are ostensibly designed to ensure a degree of job security, in fact provide essentially no guarantee of security at all. They relate only to persons "nearing retirement" or having a "long record of service", and state only that francization programmes must "take into account" the situation of such persons. The effectiveness of such narrow and vaguely-worded guarantees is limited and has proven to be negligible. If the guarantees were intended, as the minister declared in 1977, they should be made real.

In recent years, the majority of English-speaking people have shown a real willingness to participate fully in French in Quebec life and in the Quebec workforce. They deserve to be met with openness and understanding, not with bureaucratic excess, for they have a contribution to make to this society. The time has come to assist rather than impede their entry into Quebec's workforce. We must use our human resources to our fullest economic advantage.

BUSINESS

Alliance Quebec recognizes that in order to ensure the continuing strength of the French language within the North American context, that language must have and maintain

economic significance. We also believe, however, that the continuing ability to do business in English as well as in French is an indispensable asset for the future development and prosperity of Quebec. The North American reality must be for Quebec an open window onto major markets and resources.

Instead of showing confidence in the ability of Quebecers to protect the French language and culture while meeting the challenge of competing in world markets, the Government has attempted to impose restrictive barriers. The Office de la langue française has, for example, proposed to some businesses that they restrict, as much as possible, the number of positions in the firm where contacts outside Quebec are required.

Specific sectors of the economy, such as the hotel and tourist industries, have specific needs related to the nature and demands of their particular clientele. Yet Bill 101 would have all businesses, regardless of their sector of activity, fit into one rigid mould. Quebec's attractiveness for tourists, for example, is not enhanced by requirements which prevent hotels from posting signs in English as well as in French. It is a fact of Quebec life that the great majority of our tourists are English-speaking. The law should allow business and industries to respond effectively to the requirements of their clienteles.

Bill 101 must be amended to permit bilingual signs in the province of Quebec. Alliance Quebec proposes that French continue to be required, but that other languages also be

permitted alongside French. It may be fair to require that all signs be in the language of the majority, but the prohibition on the use of other languages is discriminatory and undermines social harmony; it denies close to one million people the right to be visible.

The Government has said that the law is intended to make public signs mirror Quebec society. The mirror is distorted, for it pretends that almost 1,000,000 Quebecers do not exist.

The question of signs has been perceived as a symbolic issue for both the English-speaking and French-speaking communities. We recognize the significance of signs for the French-speaking community, and feel that this symbolism is confirmed and protected by the requirement that French be used throughout the province. Alliance Quebec does not propose that English be allowed to replace French on signs, nor even that it necessarily be placed alongside French on all signs. The symbolic importance of the issue for our community is that the right should exist to place English on signs alongside French. To deny that right is to deny English-speaking Quebecers the right to be visible and to communicate with each other in our own language. Protection of the French language does not require that it be made illegal for us to use our language in public.

Restrictions on access to schools for the children of English-speaking persons are continually cited by businesses as an impediment to effective recruiting outside of the province. Quebec cannot ignore the talents, expertise and potential contributions of skilled workers from other provinces and countries. The current system of three-year temporary permits, with possible extensions, is arbitrary and essentially harmful; it has failed to attract the specialized people and the job-creating investments we need.

We are in profound disagreement with the suggestion that businesses employing less than 50 persons be henceforth obliged to undertake francization programmes. The costs involved would be prohibitive, even critical, for many, and the argument of value to society is unconvincing. It must be pointed out that Article 46 of the law, which makes it illegal to require knowledge of a language other than French unless the task to be performed requires such knowledge, already applies to all businesses in the province, large or small.

Studies commissioned by the Conseil de la langue française have pointed out that francization of the workplace was already well underway prior to the adoption of Bill 101. As those studies show, it has been market forces, an increasingly well-trained labour force and good business sense which have dictated the bulk of these changes. Language legislation, as an influencing factor, has been secondary.

French in the workplace now means jobs and productivity. Business people know that it makes good business sense to use French as the normal language of work in Quebec. The Government should also know that it makes economic sense to let businesses get on with their work.

GOVERNMENT SERVICES

Articles 15 and 16 of Bill 101 provide the apparent right for individuals to receive from the public administration a reply in the language they have used in addressing it. With the addition of Article 89, public administrations have the unrestricted right to translate texts and documents.

The law, however, neither imposes any obligation to translate nor provides a basis for ensuring that these rights are respected. Indeed, quite to the contrary, the Office de la langue française has imposed restrictions as to the types of documents which can and cannot be translated. It has, contrary to the law, provided instructions to Government employees that it is not appropriate to translate permits, certificates, registrations and the forms accompanying them.

There have also been cases where the Government has refused to correspond in English with individual business-owners, even when they were unincorporated and therefore

"natural persons" as opposed to "artificial persons" under the law. As well, it should be recognized that many corporations are merely the corporate embodiment of an individual or a family, a means of doing business which should not automatically abrogate the right of such persons to communicate with the Government in English.

Despite a recently noted increase in the numbers of documents being translated, there are dozens of instances where requests to various government departments and agencies have been met with a reply that no English translation is available. A recent and ironic example was the lack of availability of the English version of Quebec's Charter of Human Rights and Freedoms. Similarly, court documents which may, constitutionally, be prepared in French or in English are consistently unavailable in the latter version even at the Montreal Courthouse.

In some areas, such as the renewal of a driver's licence, an English booklet explaining how to fill in the French version is provided. A single, bilingual form would obviously be simpler and less expensive.

Municipalities, which are included in the definition of Administration under Bill 101, have also had limits imposed on their ability to serve their citizens. It is true that

those recognized under Article 113(f) may continue, after the December 31st, 1983 deadline, to post signs in English as well as French. We submit, however, that it should be up to each municipality to decide what services it should provide and what signs it should post. The "majority" distinction introduced in Article 113(f) is subject to change and is arbitrary. A municipality with an English-speaking population, for example, should be free to exercise its own good judgment concerning the languages of services to its constituents, as long as French is used throughout.

Even in cases where non-113(f) municipalities appear to have the right to post signs in a language other than French, such as in cases under Article 22 concerning public health and safety, the Office de la langue française has consistently imposed harsh and restrictive interpretations, such as requiring proof of a clear and present danger, before the exception can be invoked.

Finally, it is clear that the English-speaking population of Quebec is severely under-represented in its Civil Service. The exact proportion is a subject of some debate, but the bottom line is not. If English-speaking people are to be able to participate in Quebec society at every level, restrictions such as those of Article 20 will have to be amended so as to allow for affirmative action programmes. Alliance Quebec is striving for realistic solutions, adapted to the reality of Quebec's demographic, economic and socio-cultural

context. People of goodwill should be allowed a longer probation period while they acquire an appropriate level of French. Promotion should be facilitated so that it will not take a generation for the awaited increase at the recruitment level to show results, i.e. a significant English-speaking presence, at all strata of the Civil Service.

French is, and should be, the predominant language of work in Quebec. It must, however, be recognized that certain provisions of Bill 101, and particularly their overzealous implementation, have effectively and unnecessarily diminished the status of English in the employment and business sector. They have caused extensive hardship to individual members of the English-speaking community, and unnecessary harm to the Quebec economy. We have all been losers as a result.

CULTURE

Culture is not merely a passive reflection of society; it is an active ferment of being, thinking and feeling. It influences our values and priorities, shapes our mores and contributes to our vitality and dynamism. Heritage and culture are essential ingredients of identity.

Quebec society, beginning with the interaction of French settlers and Native Peoples, has been the fortunate beneficiary of a great variety of cultural influences, notably that of the English-speaking world, which have combined to create its distinctive character. The interaction of these cultures, marked by our heritage of linguistic duality, has enriched all Quebecers and projected a vibrant and exciting image to the world.

Government policy must promote and enhance the richness and diversity of our heritage and culture. Legislation should foster the achievement of that goal, and should be conceived and formulated with due care so as not to be detrimental to our cultural diversity. It should not encroach on the fundamental right of all Quebecers to freedom of expression; it should not constrain our access to ideas. Moreover, the enhancement of Quebec culture should be accomplished in a positive manner by stimulating the development of instruments of expression by Quebec's two linguistic communities and by the cultural communities of which they are composed.

The means of expression of cultural identity are as unlimited as man's creativity itself. The culture and identity of a community depend on access to people, their ideas and products. Culture is preserved and developed through a variety of media: music, writing, theatre, art, film, cuisine, and more. Labelling and packaging regulations should not be so restrictive as to hamper access to such material. To cut, or interfere with, the life supports of Quebec's many cultural elements is to suffocate and wither our society's cultural richness.

The growth and vitality of culture depends on its constant interaction with the environment which surrounds it. Contacts between people are essential to the dynamism of cultural identity. We must not be afraid of them, and we must not be afraid to attract skilled and talented people from anywhere in the world.

Individuals, from theatre directors to orchestra conductors, from religious leaders to educators, have come to Quebec and made invaluable contributions to our cultural wealth. Such people have been, and continue to be, important resources for the support and maintenance of our cultural institutions and communities. Restrictions on access to English schools for English-speaking people are impairing Quebec's cultural and economic vitality; and it is unrealistic to expect a person to uproot a family and move to Quebec if

the children's access to English schools is assured for only three years.

Identity and cultural security require a sense of historical continuity; these are provided by monuments and by the names of places, streets and institutions. To re-name them is to efface history. The Commission de Toponymie should respect existing names, providing advice only on request and acting only with the consent of the community concerned, and should otherwise limit itself to the appellation of new sites and structures. It should cease to be an administrative extension of the Office de la langue française, and should be made an independent commission with membership reflecting the cultural diversity of Quebec.

Most importantly, a full range of media services and cultural resources, covering the entire province, is an indispensable support to the English-speaking community.

EDUCATION

For every parent, and therefore for every community, education is an instrument of identity and of continuity. Our schools provide us not only with knowledge and skills, values and career perspectives, but also with a sense of who we are. Control over our educational institutions is therefore control over our destiny.

The English-language network of schools, colleges, universities and other educational services is a historic fact of Quebec society. Administered by school commissions or boards of administration, these institutions and services are essential threads in the fabric of the English-speaking community. Their legitimacy is beyond question.

It is significant that in the debate on the restructuring of Quebec's school system, French-speaking public opinion shared and supported the English-speaking community's position which insisted on effective control by the community of English-language structures and institutions throughout the province.

To be a functioning part of Quebec society, educational institutions and administrations must be able to communicate in French. It is unreasonable and illogical, however, to prevent English-language institutions and organizations from communicating among themselves in English.

It is also unreasonable and illogical to require of people that they become individually able to function in French, and then to limit their educational opportunities in this regard. The government has given neither support nor adequate recognition to French immersion programs in English-language schools; and the new Régime pédagogique presents a secondary-school timetable which has less, rather than more, time for French second-language instruction. One questions whether the Government sincerely wishes to encourage English-speaking students to stay and contribute to Quebec society.

English-speaking adults, born in Quebec or long-time residents of this province, do not have access to the intensive French-language courses which are open to immigrants and to Canadians recently arrived from other provinces. This is particularly disadvantageous to those with lesser educational, economic or workplace advantages.

The nature of Quebec society being what it is, the needs in second-language education are very different in the English-speaking community from those in the French-speaking community. They must be analyzed and treated differentially, and this has not been done. Also, learning materials for English-speaking students have in many instances lagged behind those for French-speaking students.

Access

In 1976, the proportion of Quebec's school population attending English-language schools was 16.8%. By 1981, it had

decreased to 13.4%; in 1983, at the primary level, it is down to 10.7%. Projections for the year 2000 predict 7.1% under the "Quebec clause" or 8.7% under the "Canada clause". These reductions are considerably more dramatic than those predicted by the Government when it adopted Bill 101 in 1977. There is no justification for continued refusal to broaden access to English-language schools; it is our conclusion that English-speaking people should be able to send their children to English-language schools.

Section 73 of Bill 101 has had a retroactive and unfair effect on many Quebec families. People who came here as immigrants before the adoption of the law, having already completed their primary education elsewhere, cannot now send their children to English-language schools even though they had become an integral part of the English-speaking community and conformed to every law in force at the time. The same is true of people who, in good faith, were sent to "bilingual" or French-language schools but identify themselves as English-speaking.

The Commission d'appel sur la langue d'enseignement has had a troubled history: dismissals and resignations of its Commissioners, administrative difficulties and questionable procedures. The first set of Commissioners was dismissed by the Minister of Education in 1980 after having criticized the Minister for not issuing a directive to the Bureau d'admissibilité aux écoles anglaises to follow precedents established

by the Commission. The second set of Commissioners resigned en masse in February of 1983, and were replaced by three individuals who were named by the Minister without consultation with the English-speaking community. In September of 1983, the administrative problems of the Commission caused a backlog of approximately two hundred cases, with the school year already started. Most seriously, the Commission, a quasi-judicial body, frequently fails to respect the principles of natural justice, including access to evidence and the right to appear before the Commissioners.

In addition, unacceptably arbitrary power is given to Ministry officials. Families refused under regulations concerning temporary residence in Quebec or exemptions for learning disabilities have no recourse from administrative decisions. The Ministry officials decide arbitrarily whether a Temporary Permit will be of a one-, two-, or three-year duration. Recently, a practice has come to light under which families applying for a Temporary Permit are asked to sign a letter stating they will not seek a renewal of that permit, thus signing away rights which are theirs under the law.

Even in uncomplicated cases, parents are subjected to unreasonable and excessive bureaucratic procedures for the enrolment of their children in English-language schools.

For example, birth certificates issued by certain other Canadian provinces are refused because the parents' names are not mentioned; and if school records prove difficult to obtain, the entire burden is on the parents to find them. The Premier's promise of a flexible and fair application of the law has not been borne out.

The problem of some 1,500 "illegal" students has still not been resolved, despite constructive recommendations made to the Government. They represent one-tenth of one percent of Quebec's school population - appeals cases even less than that - and nearly half are in this situation because of ambiguities and deficiencies in the law itself. It is time for a just and humane solution.

One of the most serious effects of Bill 101 is its disincentive to English-speaking people who would otherwise come to Quebec, bringing skills and investment with them. It is clear that the Temporary Permit provision is not persuasive; the Government itself has admitted as much by the special arrangements it has made with regard to the Bell Helicopter project, proving despite its previous denials that Bill 101 is an impediment to economic progress.

It is time that our schools stopped being a linguistic battleground. They should be the places where children are taught in the tradition of their own community, and learn about

the other linguistic community as well. The realization of these hopes is not yet within our reach.

CONCLUSION

It is time to stop fighting the past and start building the future. It is time for a noble vision of Quebec.

Maintaining a unique society requires a special effort from all of us. So does the achievement of excellence. In today's world, we cannot succeed by drifting. We must have realistic objectives, we must approach them with a sense of purpose, we must be able to meet the challenge of competition, and we must equip ourselves with whatever instruments we may require for their attainment.

Our fundamental instruments are our people, in the measure of their knowledge, their skills and their motivation. Quebec needs English-speaking people capable of functioning effectively in French; Alliance Quebec was created to help assure them a place in the mainstream of this province's society. Quebec needs French-speaking people capable of functioning effectively in English; the forces of history have made it an essential instrument throughout the world. English is not just "une autre langue"; it is one of Quebec's historic natural resources, and it should have a formally recognized status in this province.

On August 26th, 1982, in an editorial entitled "La Loi 101: un bilan", Jean-Pierre Proulx wrote in Le Devoir:

...The Charter of the French Language does not encompass the reality of Quebec in its entirety. We must avoid, at all cost, turning it into a new myth, a sacred commandment, an un-touchable document. For while our society is in the process of francization, it must remain attractive both to those living here and to those observing it from the outside. Political wisdom consists precisely in carefully measuring the impact of pressures applied to counter those forces which may prevent or delay the attainment of pertinent and legitimate objectives.

Five years ago, Quebec armed itself with sweeping powers in the area of language policy. In practice, it must be admitted that some of the measures taken have served to make Quebec less attractive. It should now be time for the government to make needed adjustments.

Above all, a government confident in the future and in its people, should be honest enough to recognize clearly, in the law, the existence of the English-speaking community. As it stands, the Charter relegates this community to the status of an "ethnic minority". Since then, political terminology has shifted and the English-speaking community has been elevated to the rank of the most important of the "cultural communities". We cannot insult history much longer,...

The Charter of the French Language is as much a matter of the heart as of the head. Language legislation remains essential in our society; but we must make certain that, in the future, it becomes a law accepted by all Quebecers.

(our translation)

Bill 101, as it stands, is too narrow in its vision of Quebec's present reality and future potential to be accepted by all Quebecers. These six years of its application have made an irreversible impact on the direction of Quebec society. Two possibilities lie before us: continued movement in the direction of a unilingual society, or the conclusion of a new

social contract between French-speaking and English-speaking Quebecers. It is for the second of these two options that Alliance Quebec has stood since the beginning of its existence; and it is in the sense of that option that we have taken the Premier's call for dialogue.

We are not striving to turn back the clock; we are ready to move forward, as participants in the Quebec reality of today. We call on the Government to set aside the smallness of spirit in which Bill 101 is currently being interpreted and applied. We call on the Government to perceive that a new social contract, based on the protection, vitality and épanouissement of the French language and on the contribution to Quebec society of a recognized, respected, healthy and vibrant English-speaking community, is in the interests of all Quebecers.

We repeat: It is time to stop fighting the past and start building the future. It is time for a noble vision of Quebec society. It is time for wisdom, generosity and courage. It is time, past time, for real dialogue and real solutions. It is time, in our common interest, that we had confidence in each other.

**alliance
québec**

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