



Quebec Provincial Association of Teachers
l'Association provinciale des enseignantes et enseignants du Québec

Brief on Bill 14, An Act to amend the Charter of the French language, the Charter of human rights and freedoms and other legislative provisions



Brief presented to the leaders of the government and opposition parties of the Quebec National Assembly



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The Quebec Provincial Association of Teachers (QPAT) through this brief presents its views on Bill 14, An Act to amend the Charter of the French language, the Charter of human rights and freedoms and other legislative provisions. QPAT represents 8,000 teachers in the Anglophone public education sector. Since 1864, QPAT has reflected upon the educational issues in English public schools in Lower Canada and Quebec and has assisted and supported its members over that period of time.

Legislation is modified in order to address situations and changes in society that were not previously considered or could not be foreseen. Changes in legislation may also be presented in order to achieve a societal goal that seeks to protect or define the status of groups or individuals. Consequently, modification to legislation needs to be considered carefully in the context of what the need, purpose and effect of the modifications are. This is the perspective through which QPAT makes the present analysis.

It is the view of QPAT that Bill 14 is unnecessary and provides no positive effects to Quebec society in terms of meaningfully promoting the French language as it is clearly well entrenched and stable in the province. It is also the view of QPAT, given the stability and security of the French language, that Bill 14 taken as a whole only serves to fan linguistic tensions that were non-existent prior to the bill's tabling and leaves the impression of a mean-spirited attempt to require the remaining English community to comply with further restrictions on its ability to express itself and exist. In light of this, QPAT strongly urges the government to withdraw the Bill in its entirety. Failing this, QPAT urges all the opposition parties to defeat the bill in its entirety without accepting any amendments.

The rationale for expanding the reach of the language legislation rests on the need to ensure the position of the French language in Quebec. One occasionally hears in the media that the French language is under threat or that there has been a retreat in the place of French. It is QPAT's view that these assertions have no basis in fact. In reviewing census data from 2001 and 2011ⁱ, several facts emerge that are clear:

- The proportion of individuals knowing French is stable and very high (94.6% in 2001 vs. 94.4% in 2011)ⁱⁱ;
- The proportion of individuals speaking French most often at home increased slightly and continues to represent more than four out of five Quebecers (81.7% in 2001 vs. 82.5% in 2011)ⁱⁱⁱ;
- More than 87% of Quebecers spoke French at home on at least a regular basis.

It is clear from these facts that a near unanimity of Quebecers speaks French. It is also clear that the place of French in the home is stable and may be slightly increasing. Given that use of language in the home reflects the most personal choice for language use and is an indicator of

the importance of the language in family life, the fact that the proportion of people who use French at home is both high and stable indicates that the language continues to maintain its strong place in Quebec society. The place of French in Quebec is not being eroded; the clear primacy of the French language in Quebec is not under threat. To claim otherwise strains the bounds of credulity.

Given that the justification for language legislation rests on the need to protect French but that French needs no further protection, one needs to consider the negative consequences of such legislation. Many other organizations have expressed their disagreement or opposition to the various specific elements in the bill. These individual arguments will not be repeated here, but suffice it to say that, when taken in their entirety, the clauses in Bill 14 give the following impression:

- That there will be more expense to Quebec society in the form of greater bureaucracy, either through onerous and costly compliance or more instances of excessively zealous applications of the law that have exposed Quebec to ridicule, which is not useful in any way;
- That the encouragement of the French language requires stigmatizing the English of Quebec, such as that shown by the intention to eliminate the bilingual status of many municipalities, despite the historic presence and contribution to Quebec society of the English community;
- That Anglophones have not done enough to learn French, even though the English school system has had French immersion programs for several decades.

There are a few elements specific to the education sector that underscore these observations:

- The existing exemptions applied to military personnel are reasonable and fair and do not warrant the attack found in Bill 14 which targets students who represent less than 1/100 of one percent of Quebec's population, hardly a threat to French in Quebec;
- The proposed legislation is written in such a way which suggests that it is currently needed to counter the widespread abuse of the Charter of the French Language through the use of *écoles passerelles*. To the extent that this may exist, which QPAT strongly doubts at this stage, the language used need not be bombastic;
- It is already the case, quite properly, that students must graduate high school and cegep with proficiency in French. Why repeat this obligation, particularly with language that suggests that this is not the case currently?

These impressions, taken together, cause Bill 14 to come across as mean-spirited. For many years, linguistic peace has been the reality of Quebec life. It has allowed Quebecers of all backgrounds the ability to strive to develop themselves and contribute to Quebec as a whole.

Given that the French language is clearly secure as the language of the majority and of public administration that no one can credibly question, there is nothing to be gained from this legislation. There is, however, something to be lost. In QPAT's view, the government should focus on matters that can unite and rally Quebecers of all backgrounds, be it investment in education, economic development, environmental responsibility or elimination of corruption, to give but a few examples. This will allow Quebecers to focus on things that bring us together, rather than seek to divide us according to language. Consequently, QPAT reiterates its call for the government to withdraw Bill 14 in its entirety, or, failing this, for the opposition parties to defeat the entire bill.

ⁱ For 2011 census: Statistics Canada. 2012. Quebec (Code 24) and Canada (Code 01) (table). Census Profile. 2011 Census. Statistics Canada Catalogue no. 98-316-XWE. Ottawa. Released October 24, 2012. <http://www12.statcan.gc.ca/census-recensement/2011/dp-pd/prof/index.cfm?Lang=E> (accessed April 4, 2013).

For 2001 census: Statistics Canada, 2001 Census of Population, Statistics Canada catalogue nos. 97F0007XCB2001004 and 97F0007XCB2001010 (Quebec - Québec, Code24)

ⁱⁱ Includes those who speak both French and English.

ⁱⁱⁱ Includes those who list most often speaking French along with other languages.