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Présentation pour la Commission
Parlementaire de la Culture
concernant:-

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"Post Bill 101"
English-speaking immigrants
in Quebec

Présenté Par:-

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"Post Bill 101"

English-speaking immigrants
in Quebec

have no legitimate status as members of their own language community - they are actively forced to send their children to French schools - and Quebec is asking for yet MORE power in immigration matters.

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Paragraph 23(1)(a) of the Canadian Charter of Rights states that Citizens of Canada whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside ... have the right to have their children educated in that language.

Paragraph 59 of the same Charter states that paragraph 23(1)(a) is not in force in Quebec but that Quebec has the competence to implement it at any time.

Paragraph 73 of the Quebec French Language Charter quite specifically excludes English speaking citizens who landed in Quebec after that Bill came into force from those people who may have their children declared "eligible" for English schooling.

I.E. ENGLISH SPEAKING PEOPLE LIVING IN QUEBEC WHO HAPPEN TO HAVE LANDED HERE AFTER 26TH AUGUST, 1977 ARE PROHIBITED FROM HAVING THEIR CHILDREN EDUCATED IN THEIR OWN LANGUAGE COMMUNITY SCHOOLS!

This is a violation of several articles of the United Nations Universal Declaration of Human Rights!

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The implementation of paragraph 23(1)(a) of the Canadian Charter of Rights and Freedoms in Quebec (or the repeal of paragraph 59) was neglected at Meech Lake in 1987, was ignored by the Jean Charest Committee and has, so far, been overlooked in the negotiations now in progress with regard to Quebec's desire for more powers in the area of immigration, and in the discussions regarding Quebec's constitutional future.

Paragraph 59 was ineffectually dropped into the constitution in 1982 in a futile and compromising effort to secure Rene Levesque's signature on the deal.

In the words of the Supreme Court of Canada (See ruling on A.G. (Que.) -vs- Assoc. of Protestant Schools Boards):

"this particular provision of the Charter was suspended for Quebec in part so as to calm the concerns regarding immigration, that, long before bill 101 was adopted, were expressed in Quebec because of the minority status of French in North America."

Concerns regarding immigration that existed 20 or 30 years ago, are not a reason for preventing English-speaking residents of Quebec from sharing "fully in the rights and privileges enjoyed by all Canadians" as promised by the Secretary of State.

An examination of the demo-linguistic data related to Quebec shows that such concerns have no rational basis. (Census data)

Quebec's desire for more power in immigration matters is directly and specifically linked with paragraph 23(1)(a) of the Charter. (Supreme Court of Canada)

The Quebec Liberal party committed itself in January of 1981 (Societe Liberale de Demain):

"... permettre a tous les enfants dont les parents sont de langue maternelle anglaise de frequenter l'ecole anglaise. Dans l'application de cette loi, le Parti Liberal du Quebec entend se servir principalement du critere de frequentation de l'ecole anglaise par les parents."

Quebec's Minister of Education signed an agreement with Ottawa in October 1989 which recognised the importance of paragraph 23 of the Charter in its preamble. One of the two objectives of that agreement, for which the Federal Government provides about 30 million dollars, is to:

"Provide members of the English-language community of Quebec with the opportunity to be educated in their own language."

The non-implementation of paragraph 23(1)(a) of the Charter in Quebec is totally inconsistent with that objective.

The Federal Government has committed itself, through its Official Language act and policies, to take measures:

"to encourage and assist provincial governments to support the development of English and French minority communities and in particular ... to provide

opportunities for members of English or French linguistic minority communities to be educated in their own language." (Official Languages Act, para. 43(1)(d))

The Commissioner of Official Languages stated in his annual report for 1981:

"We can only regret the invention, whatever its source, of supposed new threats to the security of French, particularly when they run counter to the apparent willingness of most Quebecers to allow genuinely English-speaking children to attend English schools."

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Before we came here, the Quebec immigration official at Quebec House told us that any children we might have would be required to learn French - that is not a problem - it is an advantage.

When we became citizens of Canada we received a letter from the Secretary of State which promised us that we would share fully in the rights and privileges enjoyed by all Canadians.

Bill 178, Meech lake, certain proposals from the M.C.S.C and the use of force in the Mohawk crisis have changed the rules of the game.

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Mr Ryan and other political figures have said that the English in Quebec have their own institutions, including their own schools.

Mr Robinson, during a debate on a motion from Mr Allmand to delete paragraph 59 (May 2nd '89), quoted in the House from a report from Mr Plamondon, who said that:

"there is not a single Anglo-Quebecer who cannot be educated in his own language if he so desires."

People who make such statements are either ignorant of, or choose to ignore, our situation.

WE ARE ENGLISH - AND WE DO NOT HAVE ACCESS TO ENGLISH SCHOOLS FOR OUR CHILDREN!

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In Quebec it is essential for a child to learn to use the French language.

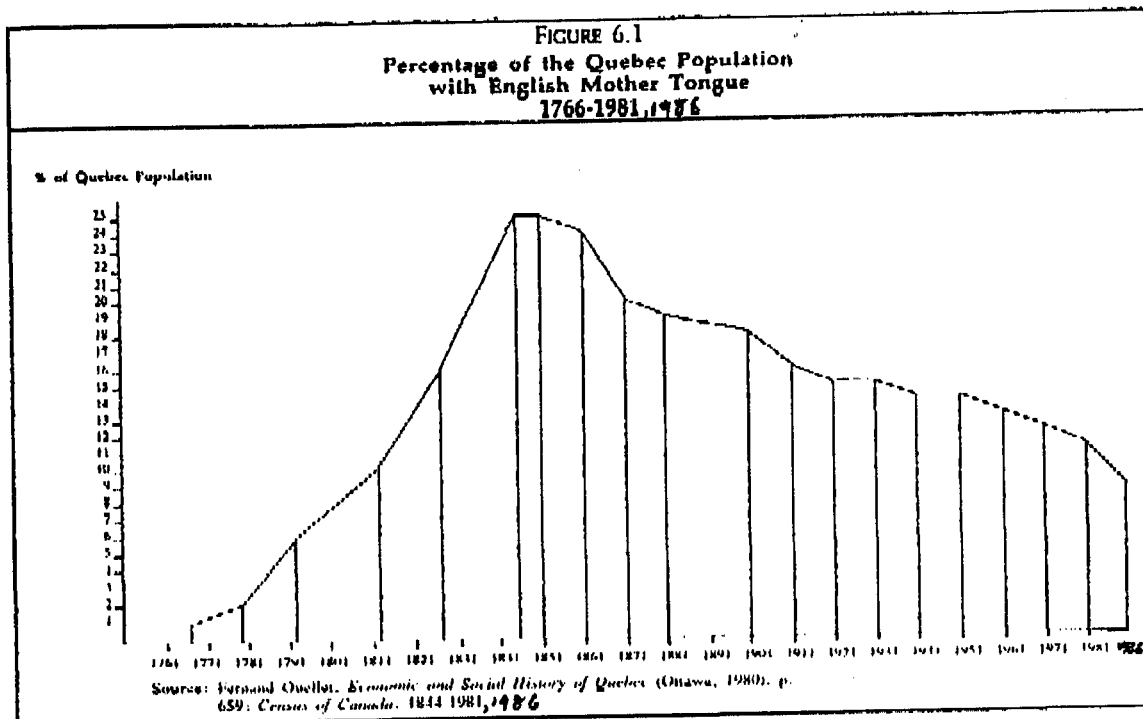
A good understanding of two or three languages is of considerable benefit in the global village in which we all live.

There is a great deal more to education, however, than the principal language of instruction, and the number or level of languages acquired in the classroom.

Education must include instruction in the cultural heritage and historical background of one's community. It also contributes to one's sense of identity.

While fully supporting the notion that measures should be taken in an effort to preserve and promote the French language and culture of Quebec, particularly with regard to the "Sea of English in North America", one must question whether certain means in line with such objectives are acceptable ways to redress a situation in a civilized democracy.

It is not acceptable for a child to be denied the right to attend school in his own language in his own cultural community.



This is of particular importance in consideration of the declining demographic strength of the English community in Quebec and the continuing closures of many of its schools due to declining enrollment.

The English community in Quebec has been diminishing in size relative to the Quebec population as a whole since the middle of the last century.

It is reported that members of the Quebec Government have complained that some 20% of immigrants to Quebec have not been assimilated. Census figures show that between 1981 and 1986 some 17% of immigrants to Quebec were of English mother tongue. (A reduction of almost half from the 31% between 1971 and 1976)

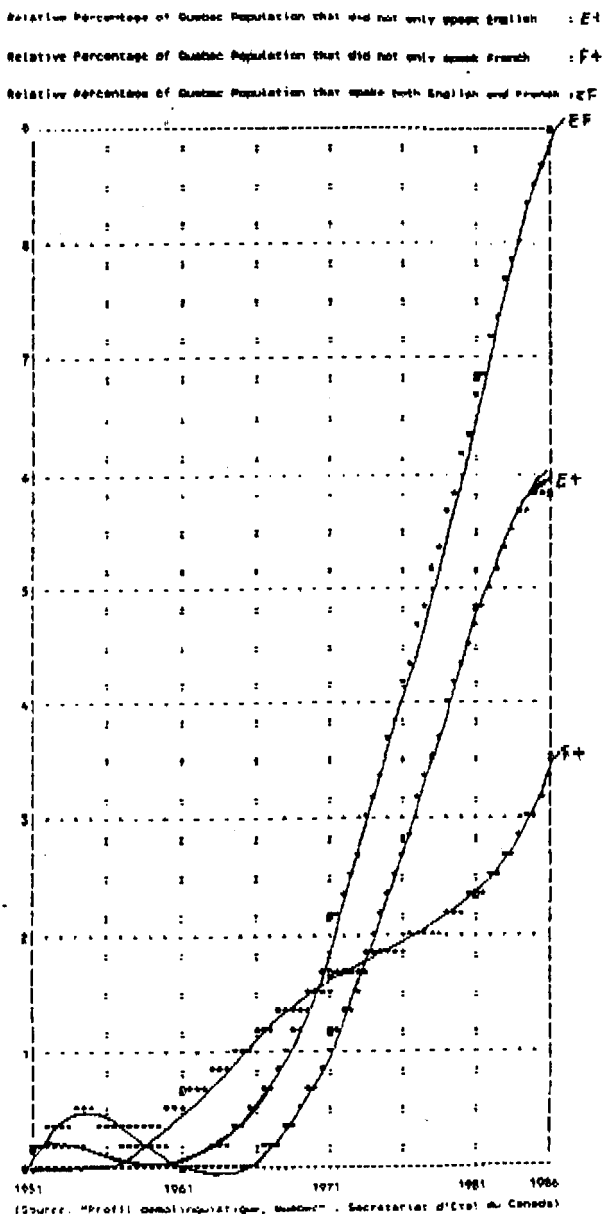
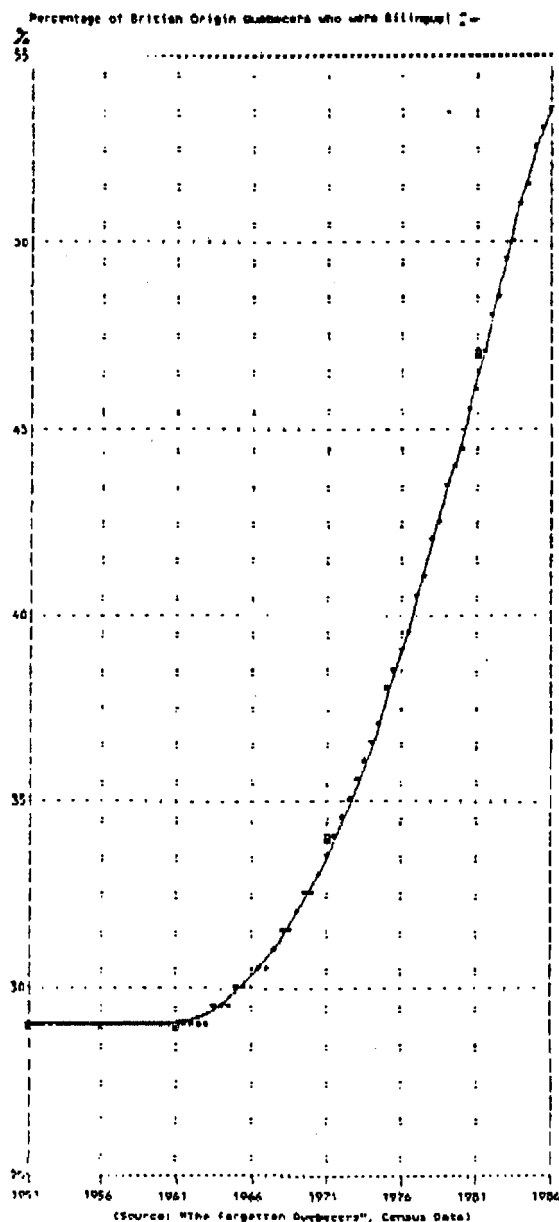
English-speaking immigrants to Quebec come to be an integral part of the English-speaking community within the Province and it is absurd to suggest that they might be

expected to be assimilated into the French segment of Quebec's society while the English community around them survives.

That does not mean that they cannot learn to use, or improve upon, their French language skills from within the English community of which they are, De Facto, members.

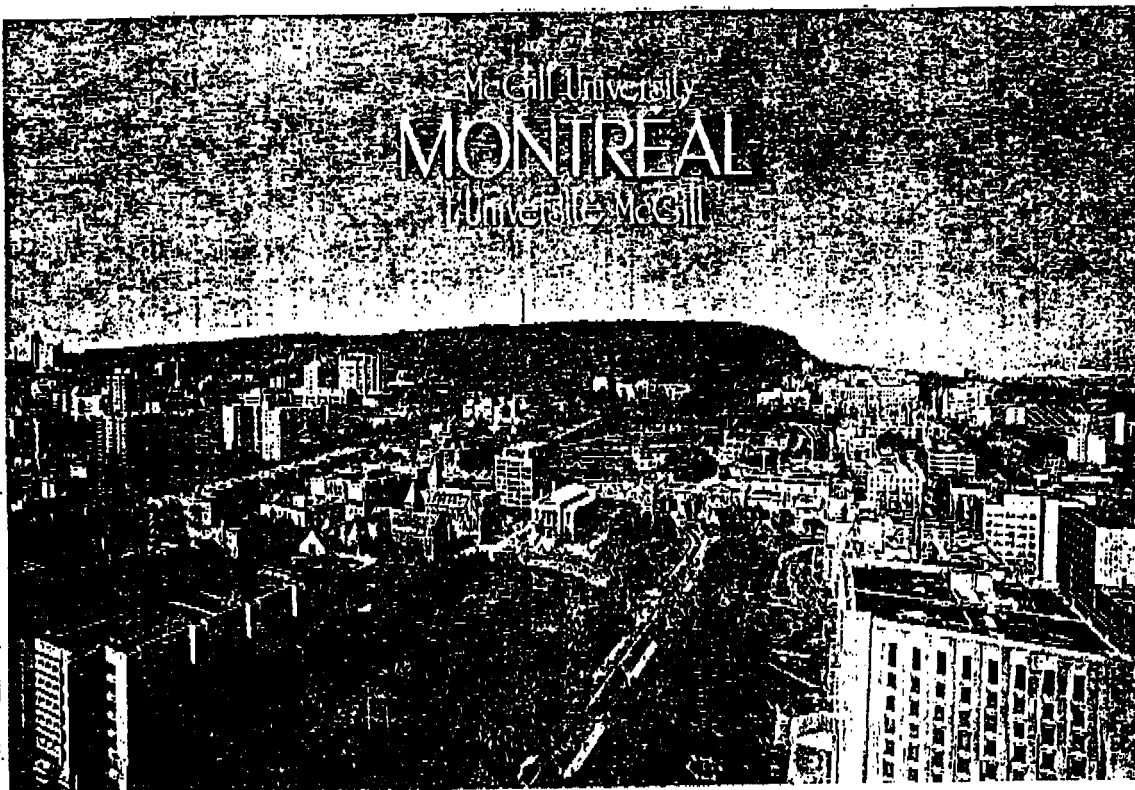
The percentage of British origin Quebecers who were bilingual, for example, increased from 29% in 1961 to 47% in 1981. (Rudin pg. 282)

French immersion programs are being demanded more and more by English-speaking parents.



The trend that existed in the late '50s until the early '60's for a decrease in English-speaking Quebecers who could speak French (while there was an increase in French-speaking Quebecers who could speak English) has reversed.

We chose to come to Montreal because we believed that the city had a good mix of several European cultures and that living in French Canada we would have a good opportunity to improve our French.



We also believed that there existed, in Montreal, a strong English-speaking community into which we would be welcomed and in which we would have some sense of security.

A number of recent actions by various authorities in Quebec, and, in particular, events related to the French school system in Montreal have been deeply disturbing.

In June of 1989 a declaration from l'Association des directions d'école de Montreal included the comment:

"malgré tout l'esprit d'ouverture, il existe des seuils limites qui se manifestent de part et d'autre, quelquefois ouvertement et d'autre fois subtilement (indifférence, violence, racisme)."

In the spring of 1990 the Montreal Catholic School Commission put forward a number of proposals that included the banning of the use of the English language anywhere on school grounds, including on the sports fields and in other recreational areas; even in private conversations between individual students during lunch breaks.

The Centrale d'Enseignements du Quebec supported those proposals and went on to say that students should be disciplined for the use of English in the school.

How would you expect an English parent to react to that? Disgust? Incredulity? Humiliation? Indignation? Wrath?

What kind of society allows for a child to be disciplined or punished for using his own language?

What kind of attitude prevails in a system that allows for people with such views to be elected into positions where they can suggest such policies?

The Commission d'appel sur la langue d'enseignement has, for the years for which figures have been published in the Minister's annual reports, transmitted files to the Minister for consideration concerning a total of only 52 children, compared with the 10,000 or so affected by this legislation.

In addition, consider the increasing rate of success of the efforts of French parents groups in taking English schools away from the communities that built them. Many of these schools are of particular symbolic importance to English communities that are relatively isolated.

These events are not occurring in a vacuum. Indeed the English-speaking community and, especially, those who came here after Bill 101 have little or no protection against the winds of repression and intolerance.

The strategies in use by the various authorities, in particular regarding English-speaking immigrants, are, in fact, ineffective and counter-productive. They are, at the very least, questionable, and are certainly not a good way to encourage trained professionals to live here and provide some contribution to building a strong industrial base in this province.



Claude Ryan

Attempts to justify the denial of our rights on the grounds of the historical context for the adoption of Bill 101, or with reference to demographic data related to immigration, population and education, cannot override the fundamental requirement to protect the social and cultural

integrity of the English Canadian within our national borders.

If the historical context for the adoption of a law were valid justification for its existence, even after objective studies indicated that the original reasoning for its adoption could no longer be employed, we would still be burning witches!

Mr. Warren Allmand said in the House of Commons, in presenting a motion to delete paragraph 59 that:

"the provision in paragraph 59 is the result of misguided logic. ... one language is not protected, enhanced or promoted by suppressing another."

A few minutes later he said that he saw:

"no relationship between a clause that disallows Anglophones from seeking education in their own language and the protection of the French language and culture. It has never been demonstrated that this provision will, in fact, have that effect."

There is no valid justification whatever for denying an English child's right to an education in his own language community school!

A 1983 study conducted for the Conseil de la langue française indicated that if article 23(1)(a) had applied in 1981-1982, the school system serving the English-speaking community would have comprised 13.9% of Quebec's school population versus the 13.1% it actually represented that year, a real gain of only 9,500 students in a total Quebec student population of more than a million - less than one percent!

The Official Languages Act states that part of its purpose is to:

"support the development of English and French linguistic minority communities and generally advance the equality of status and use of the English and French languages within Canadian society."

Paragraph 59, in conjunction with chapter 8 of Bill 101, denies rights to one small segment of society, in a document that is supposed to protect all Canadians, with no justifiable reason for its existence.

The effect of this legislated denial of rights is to limit the regeneration rate of the English-speaking community in Quebec by allowing for English-speaking immigrants landed after 26th August 1977 NOT to be English-speaking residents in Quebec for the purposes of the act.

Pragmatically, in Canada, this means that the French Linguistic minorities, though far from full equality of status, are protected but the English linguistic minority of Quebec is under threat of death by attrition.

The English-speaking population of Quebec is a historical reality. It is not possible to preserve and promote the cultural or linguistic qualities of Quebec society without preserving and promoting the minority community which has for centuries been a dynamic part of it.

The English-speaking population of Quebec has the same right to survive in Quebec that the French-speaking population of Quebec does in Canada.

This legislation contributes to the demise of the English community in Quebec by treating recent immigrants to that community as having no more historical validity than, for example, Albanian or Gujarati immigrants. (Some such immigrants to England, incidentally, have their own language community schooling, at public expense).

We are undeniably English, and demand to be recognized as such by ALL levels of government.

We demand to be treated fairly, as English citizens in Quebec, as legitimate members of the English-speaking community here.

How do we support the claim that we should be recognised and treated as legitimate members of the English community in this country, and in this province?

It should be obvious. It should not need to be explained or stated and yet the existence of this legislation makes it necessary to do so.

It could be done through a detailed examination of our national histories, but that would surely take more time and space than could possibly be allowed.

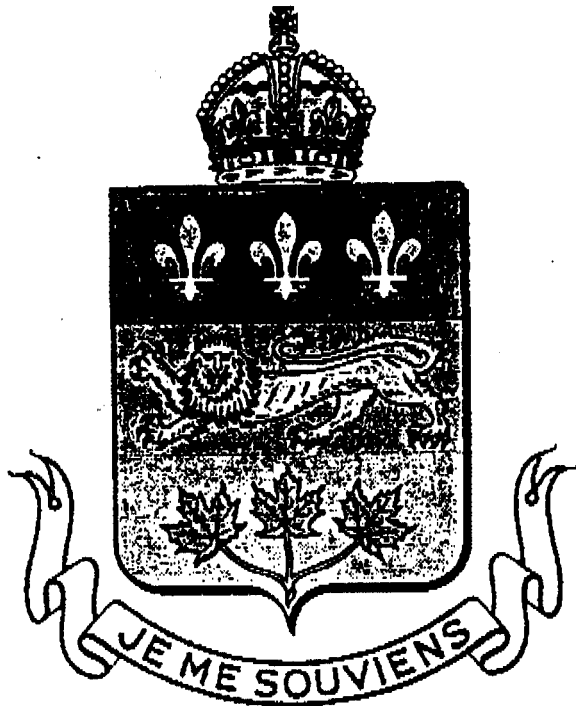
There is, perhaps, a shortcut. A means by which the cultural identities of Quebec, of Canada, and of England can be compared.

How much of Canadian and Quebec society reflects our own cultural and linguistic heritage.

Consider a few of our cultural symbols. The long history behind them need not be described in detail because these symbols should be instantly recognizable to many of us.



The Quebec Coat of Arms.



The British Royal Crown sits on top of the shield.

The Fleur de Lys is a symbol of royalist France.

The Lion Passant Guardant is part of the British Royal Standard and is the symbol of British Royalty.

The Maple Sprig is, of course, the symbol of Canada.

The Quebec Coat of Arms shows that people from Britain have as much a claim to be recognised as English, in this province, as people from France have to be recognised as French.

2) The Canadian Postage Stamp.



The device by which payment for the conveyance of our written communication around the country is represented.

Every piece of mail that we wish to have carried by way of our national postal system, must bear evidence that one has paid the appropriate fees.

The postage stamp is a well known symbol of our national communication system.

One such stamp bears the image of The Queen of England.

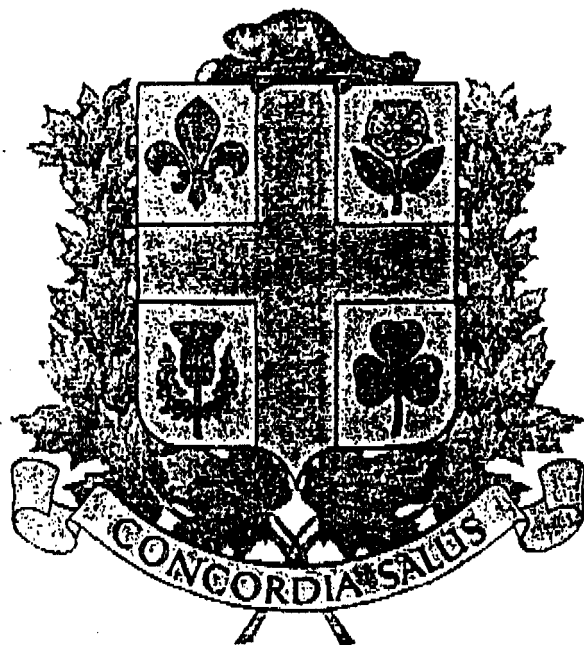
The language Her Royal Highness normally uses is English, of course.



Strictly speaking, if the Queen of England or any other member of the Royal Family were to live in the province of Quebec, under our present legislation, she would not be permitted to place her children, nor her grandchildren, in an English school.

What impertinence!

The Montreal Flag and Coat of Arms



The flag, based on the Coat of Arms, is a symbol of the cultural identity of the city.

It is a recognition of the principal cultural elements that are an integral part of the city's population.

What cultural elements are represented on the flag that symbolises the cultural identity of the city in which we have chosen to live?

The Fleur de Lys is a symbol of royalist France.

The Thistle represents the people of Scotland.

The Shamrock represents the people of Ireland.

The Lancastrian Rose represents the people of England.

The Heraldic Cross of St. George, the dragon slayer, of England represents Chivalry, things English, and the Christian motives and principals which governed the founders of the city.

I would not claim that paragraph 59 were 'draconian' but, in at least one sense of the word, might it be said that the spirit of St. George would be representative of our position?

) The Quebec Motor Vehicle License plate.



The motor vehicle license plate carries a reminder of our linked linguistic heritage. It proudly displays the message "je me souviens" which can also be found on one of the stones of the National Assembly Building in Quebec City.

It comes from a poem, written in Quebec a long time ago, part of which reads:

"Je me souviens
que né sous le lys
je fleuris sous la rose"

(lys = royalist France)

(rose = Lancastrian rose of England)

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(Duplessis is reported to have claimed that the Quebec flag includes the form of the St. George cross as a symbol of the anglophone component of Quebec society)



We demand that our status as legitimate members of the English-speaking community in Quebec be recognized and protected - by allowing our children to attend school in their own language community institutions.

There are several ways by which this might be achieved:-

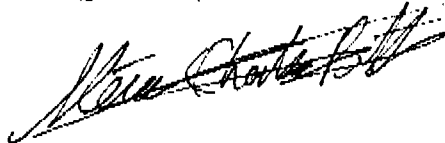
- 1) The implementation of paragraph 23(1)(a) of the Canadian Charter of Rights and Freedoms in Quebec - requires that a motion be passed in the Quebec National Assembly. It is not very likely that will happen in the current political climate in Quebec. Quebec would not want to be seen to be making what might appear to be a constitutional concession.

The Quebec Liberal party might be persuaded, however, to implement this (as they promised in 1981) in exchange for some additional control over immigration in Quebec - though the concept of any further transfer of control is somewhat unpalatable.

- 2) The repeal of paragraph 59 of the Canadian Charter of Rights and Freedoms - probably requires the consent of all the provinces. That is not a very likely event either.
- 3) An amendment to the Charter of the French Language (Bill 101) - would be perceived as "touching Bill 101", an act of proverbial sacrilege in Quebec.
- 4) There is room in the Quebec Bill 101 for the province's Minister of Education simply to issue some guidelines, for the Commission d'appel sur la langue d'enseignement, for the interpretation of "family or humanitarian grounds" used in the appeal process for English schooling "eligibility". This would not require any legislation changes.

The debate over Quebec's constitutional future, her demands for more and more power, and the Federal Governments inability to grant any recognition of our status as legitimate members of our own language community, continue to strip us of any sense of security.

Does the province of Quebec, and this great nation, need to be so intolerant?



Steven Charles Potter

Montreal, October, 1990

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