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Opinion / Columnists

# Allison Hanes: Dangerous chill on dissent settling over Bill 96 debate

*The speed with which EMSB chair Joe Ortona was cast aside by Denis Coderre after the board questioned Quebec's nationhood is an ominous sign.*

Allison Hanes • Montreal Gazette  
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When Ensemble Montréal announced Joe Ortona as a candidate in July, it touted his "dedication to upholding the constitutional rights of the English-speaking community." PHOTO BY ALLEN MCINNIS /Montreal Gazette

What lessons can be drawn from the fast-and-furious political pile-on that resulted in the ouster Tuesday of Joe Ortona as a star candidate for mayoral hopeful Denis Coderre's Ensemble Montréal party?

When trying to defend the rights of the English-speaking minority in Quebec, it's counterproductive to bait nationalists. In fighting for inclusion in the Quebec nation, don't question its very existence. If daring to challenge this orthodoxy, expect fierce blowback.



But the take-home message from this cautionary tale is that there is dangerously little room for dissent when it comes to Bill 96, the Quebec government's latest attempt to bolster protections for the French language. The groupthink backing the need to reinforce French at all costs is so strong that it has blinded most Quebecers — and most Canadians, for that matter — to its draconian and far-reaching consequences. Those trying to warn the public about the damage to fundamental rights and freedoms must tread lightly.

Otherwise they risk being chastened and cast aside like Ortona, who has been cut adrift in his run for municipal office in the Loyola district of Notre-Dame-de-Grâce.

Ortona ran afoul of the Quebec political establishment this week in his capacity as chair of the English Montreal School Board. At its Sept. 1 meeting, the EMSB adopted a resolution calling on the Quebec government to withdraw Bill 96 outright and asking the Supreme Court of Canada to review its legality

Several dispositions of Bill 96 have alarmed English-speaking Quebecers. These include provisions that would: unilaterally amend the Constitution to recognize Quebec as a nation with French as its only language; give the Charte de la langue française precedence over all other legislation, including the Quebec and Canadian charters of rights; and defensively shield the whole law from court challenges by invoking the notwithstanding clause.

These are no small matters. Bill 96 could make anglophones, allophones and other minorities second-class citizens. It would also undermine the role of the judiciary, a pillar of democracy. The Quebec Community Groups Network, an umbrella group of

anglophone organizations, has warned it would inextricably alter Quebec and Canada — forever.

Though the EMSB motion is important and echoes these arguments, it contained some unfortunate wording. Citing retired McGill University professor John Bradley in the preamble, it stated: “Quebec is not a ‘nation.’ It never has been. Its status is recognized by the United Nations as a province within the nation of Canada.”

This was a grave strategic error, straying from the carefully honed positions of groups like the QCGN to have the Quebec government regard English-speakers as part of the nation, rather than interlopers. This passage was not only unhelpful, it risks discrediting the efforts of others now contesting Bill 96.

Ortona issued a statement Tuesday afternoon admitting that the EMSB “erred” in calling Quebec’s nationhood into question, though standing by the board’s overall opposition to Bill 96. On Wednesday, the EMSB said it would amend its resolution to remove the clause denying that Quebec is a nation. But by then it was too late, the legitimate concerns were quickly drowned out by the brouhaha.

Parti Québécois leader Pierre St-Paul Plamondon called the EMSB text “disrespectful.” Bloc Québécois leader Yves-François Blanchet called it an “insult.” Premier François Legault was the most over-the-top.

“I think that they are disconnected,” Legault said of the EMSB. “It’s almost as if that particular group has become a radical group.”

(Yes, the premier actually accused a school board of radicalism).

Perhaps this hyperbole shouldn’t come as a surprise given the EMSB’s history of legal activism against Bill 21, Quebec’s discriminatory secularism law, or Bill 40, its effort to abolish school boards and replace them with lapdog service centres. The Legault government tried to rein the board in by putting the once dysfunctional EMSB under trusteeship. But the antagonism between Legault and his anglophone institutional nemesis obviously continues.

More cynical is the swiftness with which Coderre dumped Ortona. When Ensemble Montréal announced him as a candidate in July, it touted Ortona’s “dedication to upholding the constitutional rights of the English-speaking community.”

But suddenly his defence of minority rights is “unacceptable” and “goes against the values of our party.” In his rush to distance himself from Ortona’s faux pas and show himself to be a staunch defender of French, Coderre may have hurt his chances with English-speaking voters in Montreal who share the EMSB’s alarm over Bill 96. But clearly the risk of appearing offside with the prevailing political zeitgeist — that the French language must be prioritized even at the expense of basic rights — was greater for Coderre.

The moral of the story is that a worrisome chill is settling over the debate surrounding Bill 96. Anyone raising their voice had better weigh their words carefully.

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