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# André Pratte: Quebec's 'Bill 101 on steroids' goes too far

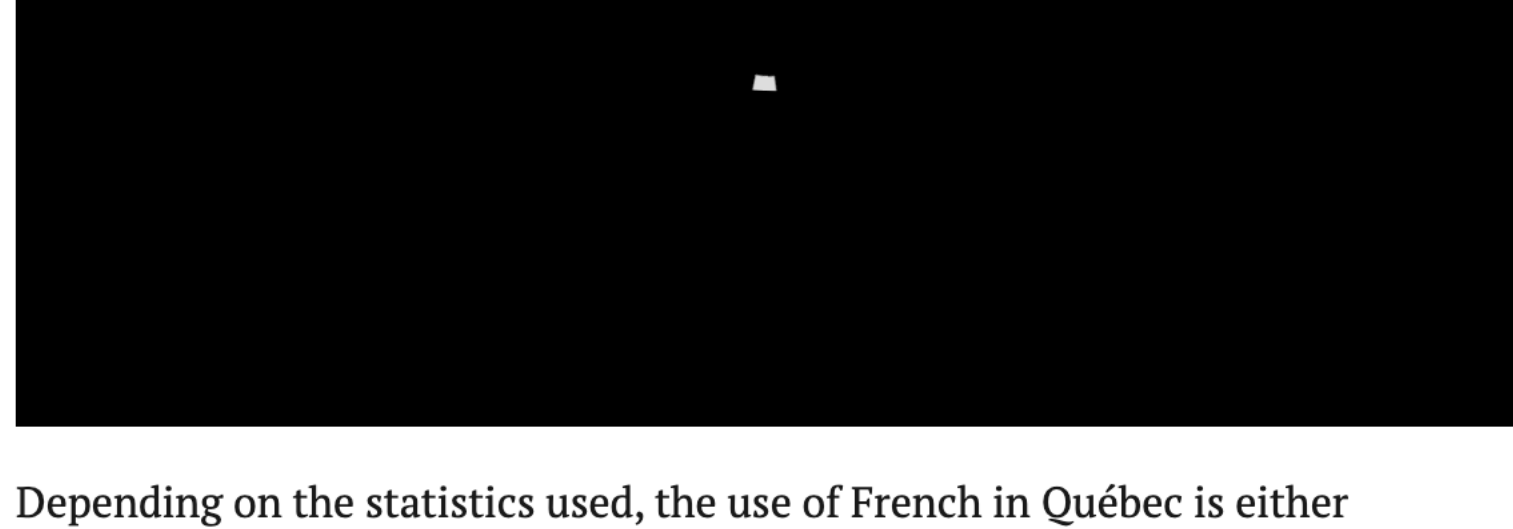
*Some of the clauses in the province's new language legislation, Bill 96, are discriminatory, unfair and/or inoperable*

André Pratte  
Dec 03, 2021 • 3 days ago • 4 minute read • [120 Comments](#)



There are serious problems with Quebec's Bill 96, which seeks to modernize Bill 101, the French Language Charter, writes André Pratte. PHOTO BY GRAHAM HUGHES/THE CANADIAN PRESS

Next week, members of the Québec National Assembly's Culture and Education Committee will resume their arduous clause-by-clause study of Bill 96, a legislative piece that seeks to modernize Bill 101, the French Language Charter. Few among the media will follow their work, but that does not make it less



Depending on the statistics used, the use of French in Québec is either declining or stable. Regardless of this statistical uncertainty, based on their own anecdotal experience and on alarmist media coverage, a large proportion of francophone Quebecers have become convinced that the survival of their mother-tongue is once again threatened. "Something" needs to be done.

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*Many Francophone Quebecers have become convinced that the survival of their mother-tongue is once again threatened*

The nationalist government led by Premier François Legault determined that that "something" would be a massive piece of legislation, containing as many clauses as the original language charter adopted in 1977. The 100 pages-long bill touches on about every aspect related to the use of language: at work, in commerce, education, health care, government services, etc. The effect is a significant buttressing of the government's powers in matters of language and the addition of several limitations regarding the use of English.

While a few of those initiatives may have a positive impact on French's situation, most of the bill's measures will only result in increased paperwork, both in government and in businesses.

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More importantly, some of the clauses in the bill are discriminatory, unfair and/or inoperable.

Three examples:

1) The powers of the Office québécois de la langue française are broadened so that a person carrying on an inspection for the Office may "enter at any reasonable hour any place, other than a dwelling house, where an activity governed by this Act is carried on, or any other place where documents or other property to which this Act applies may be held." There is a concern that this will lead to arbitrary inspections so that the Office may come to merit its

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2) To protect the bill from legal challenges, the Legault government has equipped the legislation with the most far-reaching notwithstanding clause ever, a shield that prevents any claim based on the rights protected by the Canadian and the Québec charters. The right to life, fundamental freedoms such as freedom of conscience, freedom of religion, freedom of opinion, freedom of expression, freedom of peaceful assembly and freedom of association, the right to private life ... No less than 38 clauses of the Québec Charter are brushed aside so that the language law is certain to resist a legal assault. Unfortunately, most Quebecers are unaware of or do not care about this outrageous fact.

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3) Currently, it is relatively easy for a newcomer in Québec to be served in English or in their mother tongue (through an interpreter) by the provincial government and its agencies. In the future, government employees will be required to speak only French when addressing an immigrant who has been living in Québec for more than six months. In other words, all immigrants will be required by law to learn French in the first six months after their arrival on Quebec soil, or they will be unable to deal with the Québec administration even for basic services. This is unreasonable, unrealistic, and unfair.

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In the National Assembly, opposition parties have raised these issues and more. But their efforts have been mostly ignored by the media, and a large majority of French-speaking Quebecers — 77 per cent according to an Angus-Reid poll — support the bill.

The clause-by-clause study by members of the national assembly will require months of work. If the government refuses to budge on the most egregious sections of the legislation, the opposition, especially the Québec Liberal Party, will face a dilemma. Indeed, Bill 96 is about the least liberal text you can imagine. Unless significant changes are made, Liberals, especially those MNAs representing majority English ridings, will have a hard time supporting it at third reading.

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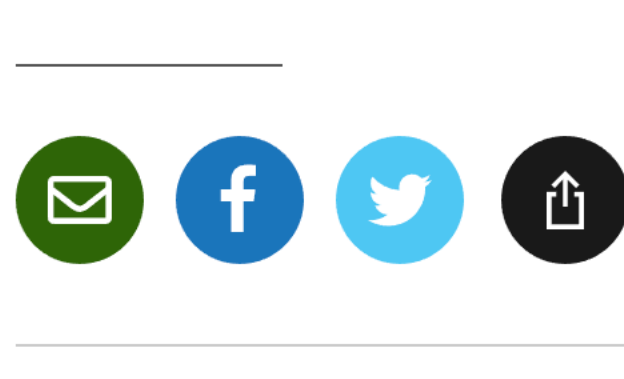
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However, the QLP's new leader, Dominique Anglade, desperate as she is to reconquer the province's French speakers, is worried that voting against the popular bill might wreck her endeavours. The decision Anglade makes on this matter will be a most difficult one, as she will inevitably be torn between liberal principles and tactical considerations.

In the end, whatever the opposition does, François Legault's majority government will pass this Bill 101 on steroids. Yet it is safe to say that, despite the harsh means contemplated by the legislation, Quebecers' concerns for the future of the French language will only be slightly alleviated, if at all.

*National Post*

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