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Local News

# EMSB votes to hire a law firm and fight Bill 96 in the courts

"Somebody's got to show the government that we're going to stand up and fight for what's right," Joe Ortona said.

Jason Magder • Montreal Gazette  
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Hundreds of Montrealers gathered at Place Du Canada on Thursday to protest against Bill 96. PHOTO BY DAVE SIDAWAY /Montreal Gazette

The English Montreal School Board voted to challenge Bill 96 before the courts, the commissioners decided Thursday night.

In a special council meeting, the council of commissioners voted to retain the services of Montreal-based firm Power Law to contest the validity of Bill 96.

"I'm ready to stand up and fight as an English-language school board and an English-language institution and to stand up for these rights that the government has decided they can throw out the window," EMSB chairperson Joe Ortona said during the meeting. "Somebody's got to show the government that we're going to stand up and fight for what's right, because if we don't they're going to continue to erode our rights."

Voted into law on Tuesday, Bill 96 amends the charter of the French language.

Opponents say the law will erode English-language CEGEPs because of caps on enrolment and the requirement that all students take three additional classes in French, making it more difficult for them to graduate. They're also concerned about increased powers given to the province's language watchdog, such as the power to search and seize without a warrant, and how the law could restrict access to English language services in courts and in the health care sector.

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“We’ve shown once again that the council is committed to defending the rights of English-speaking Quebecers and minorities across Quebec,” he said. “It’s a horrendous piece of legislation. It treats English-speaking Quebecers as second-class citizens; it infringes on the rights of all Quebecers and it basically legalizes discrimination.”

Ortona added that he believes the law also violates the constitutional right of Quebec’s English-language minority to govern its own schools.

He said he expects other groups will join the challenge, but he didn’t want to wait for others before initiating the action.

In the meantime, roughly 400 people gathered to protest the law at Place du Canada Thursday evening.

The rally was a sober affair, but those who spoke vowed to fight the law.

“We shall fight at every level of court,” human rights lawyer Julius Grey said. “We will fight it in the Superior Court; we will fight it the Court of Appeals; we’ll fight in the Supreme Court; we’ll fight at the United Nations. And I will remind you that the last time when (former Premier Robert) Bourassa used the notwithstanding clause, we won before the United Nations.”

“We shall fight for an open, French but tolerant and friendly Quebec where everyone will have his place.”

Quebec Community Groups Network president Marlene Jennings said the last rally held May 14 when thousands marched from Dawson College to Premier François Legault’s office downtown was a turning point for opposition to the law, and since then, more people have come out to denounce it. She said that’s why it’s important to show up and denounce the law.

On Thursday, the Washington Post published an opinion piece criticizing the law, saying that, “the project of making Quebec a homogenous French-speaking nation is now the goal to which everything else is officially subordinate.”

Alana Baskind, who attended the rally, had tears in her eyes when she spoke about why she was opposed to the law.

“I’m very sad; I just don’t feel welcome anymore,” she said. “I feel like everything I love about this province is being taken away. It’s worth fighting, and that’s why I’m here. We need to fight this.”

Gounash Pirniya, who came to Montreal from Iran 10 years ago said she also feels unwelcome.

“Although I love to live in Montreal, I think I can no longer live here,” she said. “Maybe it seems like protection of the French language, but I think they want to literally kick out anyone who doesn’t speak French. I came to Canada in order to have freedom of choice, because I feel like those were the values we had in Quebec. Now I see those values are not respected at all.”

Kevin Deer, a spokesperson for the Mohawk territory in Kahnawake also weighed in.

“The Legault government has to understand they are in a trading relationship with us based on peace, friendship and respect,” he said. “This has been (our) territory for time immemorial. You don’t have the right to supersede us. You’re not God. You’re not superior to us. You can’t just exercise your power because you think you have power in numbers. This is all Mohawk territory, and if our kids want to come here, they shouldn’t be forced to speak another language.”

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