

Language hardliners protest outside the office of Brent Tyler, lawyer for the parents fighting for school access. Will the Liberal government cave in to the hardliners, or side with the English-language school boards?

This report, added to a national Marc Ouellet's publicized sorties against women's right to abortion, including in cases of rape, poses a question that's increasingly asked in Canada: "Does the religious exercise undue influence on the federal government's policies?"

It's not a case of religious right exercising "influence" over the government. Rather, the real problem is instead with the government's tolerance that the religious right and the Harper government are more ideological than the previous fellow travellers. Circumstantial alliances with all friends are friends.

The Conservative strong Reform Pa Canadian Alliance n good part of that stor Le Devoir reported, chief-of-staff, assistan staff, and policy di have ultra-Catholic o ical backgrounds.

This government's up to ultra-conservative Catholic, Muslim, or Evangelical, is unmented by the mediated Factor by Donald document worrisome proximity "Christian national" "pro-life" and "tradition" lobbies.

What most of these groups and lobbies—"theo-conservatives"—common is their opposition to women's right to abortion, homosexuality, same-sex marriage, sex education, and, of course, gay rights. In countries which, like the United States, tend to protect human rights.

But the government's response to these lobbies is not always religiously and ideologically driven. It's also about politics," where Hahn has to create controversy to comfort his own base.

Will Charest do what is right?

Within the next few weeks, anglo Quebecers might have to witness a sad spectacle in the National Assembly: The PQ and Liberals side by side, with a Liberal foot pressing down on the throat of the English community as the PQ urges them to push harder.

When Bill 104 was struck down by the Supreme Court last fall, the Quebec government was given a year to remedy the situation with modified legislation. In the National Assembly, a new law must be tabled before May 15 to be adopted before the summer recess without needing support from the opposition. No such law was presented, which means that for any revision to Bill 104 to be adopted, the Liberal government seemingly presumes to have the PQ inside.

Bill 104 was passed to block students who were educated in unsubsidized private schools in English from then switching to an English public school. When the lower courts struck down Bill 104, the Liberals couldn't line up fast enough to announce that they were appealing the judgement.

Justice Minister Kathleen Weil, who "represents" the voters of west-end N.D.G., claims that the government's priority is to protect the

French language. She is either unaware of the numbers involved or is meekly parroting the party line. The number of students affected by Bill 104 is about 500 a year, a measly 1/20th of one per cent of the enrolment in French schools in Quebec.

There is nothing to do with and absolutely no bearing on, the protection of the French language. The Liberal government's aggressive stance on Bill 104 is its way of trying to outflank the PQ on the nationalist front, and unfortunately, the most convenient way of doing so is by tightening the screws on the anglophone community.

Never in the anglo community's history does it seem that it has been this politically irrelevant, to the point where the Liberals haven't even acknowledged requests by English school boards to meet on the issue.

Whatever corrective legislation the Liberals propose to Bill 104, one would suspect that the PQ will claim it doesn't go far enough. That might force Jean Charest to make a boast similar to something Robert Bourassa said 20 years ago. After using the notwithstanding clause to overturn the Supreme Court decision on the language-of-signs law, Bourassa bragged to nationalist hardliners that "Never in the history of Quebec has a

government suspended fundamental liberties as I have!"

Why would Charest care about these 500 students? Is he so indifferent to the health of the English community infrastructure that he doesn't care if its school system eventually dies by attrition? The English school enrolment has shrunk from 250,000 students to 100,000 since the restrictive access-to-education provisions were put in place. These 500 students a year, while meaningless in numbers to the French school system, at least provide a small breath of oxygen to the English community.

But the debate over access to education in English is much bigger for the anglophone community than Bill 104. For the community's educational institutions to survive, we need more than just axing Bill 104. On May 11, The Gazette published a stunning Léger Marketing poll on freedom of choice in education that showed that 61 per cent of francophones support freedom to choose the language of instruction in Quebec. This is the most significant public opinion poll since Bill 101 was adopted more than 30 years ago. It proves that francophone Quebecers are much more open and tolerant than the nationalist political and opinion leaders will let us believe.

When the education of our

children is involved, common sense should prevail and not nationalist symbolism. When anglophone immigrants from England or the United States, for example, are forced into the French-language school system, they are not transformed into francophones. If francophones were allowed into English schools, they would not come out any less francophone. But they would benefit from mastery of English as a second language, which is why francophone parents want this opportunity.

Our English school system today, with 14 to 17 hours a week of instruction exclusively in French, certainly generates graduates who can speak French fluently. Improving the quality of the teaching of French and ensuring that non-francophones speak French fluently is the best way to protect the French language in Quebec. Not by by choking off English schools.

This debate and in particular this Leger Marketing poll should be a stirring wake-up call to Charest. Instead of perpetuating the nationalist mythology and pressing down on the throat of the anglo community, he should do what is right.

Robert Libman is the former leader of the Equality Party and former MNA for D'Arcy McGee.

THE FIGHT SEEMS to have gone out of the anglo community in the two decades since the election of the Equality Party

20 years later

ROBERT LIBMAN

This week marks the anniversary of a unique historical moment for Quebec's English-speaking community, one that created quite a ripple in the province's political waters.

It was 20 years ago on Friday that a surprising statement by anglophone voters resonated throughout Quebec, provoking the francophone media and establishment to react with considerable bewilderment.

In the 1989 provincial election, a majority of the community shunned its traditional support of the Liberal Party and threw its votes to a new and inexperienced political party that I had jointly created. Under the Equality Party banner, four of us were elected to the National Assembly with five others finishing a strong second in ridings with large English-speaking populations.

This protest vote was a response to the Liberal government's use of the notwithstanding clause to override a Supreme Court decision that banning English on outdoor signs violated freedom of expression. The clause allowed the Liberal government to hastily pass Bill 178 to maintain the ban, a move that was regarded as a severe slap in the face from anglophones' traditional political ally.

Francophone commentators were surprised at the outrage exhibited by the normally complacent anglophone

voters. The Liberal government changed the law four years later when the notwithstanding clause came up for renewal, finally allowing English on outdoor signs, with French predominance.

That moment was the loudest and angriest election protest ever from the anglophone community. But, ironically, it was the beginning of the end of the intense language tensions and debates that often characterized the political landscape in our province. Anglophones have flocked back to the Liberal Party and today, 20 years later, the polarizing language issue is dormant.

There is very little energy left in the anglophone community to reanimate the debate. More than 25 per cent of the anglophone population, primarily young people, have left the province in the last 30 years. Restrictive educational provisions in Bill 101 that no one dares to question any more make it almost impossible for our schools to bolster enrolment. The result is that anglophone institutions have taken a serious hit.

Most who have stayed, other than occasionally blowing off steam on radio-talk shows or in letters to the editor, have resigned themselves to accept the primacy of French in Quebec. Younger anglophones are bilingual now as most of our schools have a French stream that is more populated than the English stream. Even kids in the Eng-

lish stream get 14 to 17 hours per week of instruction in French.

Unfortunately, the community's efforts to adapt to the French fact have gone unnoticed and unappreciated by the majority. Anglophones do realize that maintaining a predominantly French language and culture within North America is important. The French character of the city is what many people like about Montreal, and one reason they stay here.

If anglophones can recognize this reality, the francophone majority should at least appreciate the anglophone community's need to maintain its own sense of community and identity within Quebec.

Unfortunately, the majority sees anglophones as a comfortable linguistic extension of the North American sea of English with no need for protection. But anglo Quebecers are not Torontonians, New Yorkers or Californians. Sharing the same first language as most North Americans does not negate the fact that there were more than 250,000 kids in English schools in 1970, compared with just over 100,000 today. The shrinkage of the community puts tremendous strain on its institutions' ability to raise funds, provide the necessary services, and retain our best and brightest. Even the existence of the tiniest of loopholes that allowed a few hundred students access to English



The Equality Party Four: Gordon Atkinson (left) Libman were elected to the National Assembly o

schools was urgently plugged by the Liberal government with Bill 104 (currently before the courts).

It is a common belief that if the anglophone community in Quebec is stronger, inversely the French language and the francophone majority will be weakened. This is not the case. The French language is rooted more deeply than ever in every segment of Quebec society - economics, culture, social services and education. It is not a zero-sum game.

Where will the English-speaking community be in 20 years? With the existing laws that hinder anglophone institutions from growing, the

community inf can only get s smaller.

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Unfortunately

Few tears for the end of the longest-running

After 72 years, Guiding Light

ous cost-cutting efforts had caused the series to stop

Time did a cover story on "their huge popularity and

found than: "Ca little mining to

Libre Opinion - La Presse

Par Robert Libman

Les francophones ne devraient pas percevoir la communauté anglophone comme un adversaire

Vendredi prochain marquera le 20^e anniversaire d'un moment important de l'histoire de la communauté anglophone du Québec, qui avait créé une onde de choc intéressante dans la vie politique québécoise à l'époque. L'élection provinciale du 25 septembre 1989, avait permis aux électeurs anglophones de faire entendre leur voix de façon surprenante. Une grande majorité de membres de la communauté étaient sortis de l'ombre, abandonnant le traditionnel soutien au Parti libéral pour appuyer massivement un parti politique à la fois nouveau et totalement novice, que j'avais créé. Sous la bannière du Parti Égalité, quatre d'entre nous ont été élus à l'Assemblée nationale, et cinq autres ont fortement terminé à la deuxième position dans des circonscriptions avec des populations anglophones. Ce vote de protestation était une réaction à la décision qu'avait prise le gouvernement libéral d'invoquer la clause nonobstant afin d'annuler une décision de la Cour suprême qui stipulait que l'interdiction formelle de l'anglais sur l'affichage commerciale extérieure portait atteinte à la liberté d'expression.

Ironiquement, alors que cet événement a constitué l'expression la plus forte et la plus virulente de l'opinion collective jamais affichée par la communauté lors d'une élection, il a aussi amorcé la fin des tensions et des débats linguistiques qui caractérisaient souvent le paysage politique de notre province. Aujourd'hui, vingt ans plus tard, le débat linguistique déchirant a effectivement disparu, et les membres de la communauté anglophone sont bien peu nombreux à souhaiter qu'on réanime ce débat. Plus de 25 % de notre population (principalement composée de jeunes) a quitté la province au cours des 30 dernières années. En raison des dispositions de la *Loi 101* sur l'accès à l'éducation, il est presque impossible pour nos écoles de faire augmenter le nombre d'inscriptions, et nos institutions communautaires ont été considérablement affaiblies.

Il y a toujours quelques exceptions, mais la majorité de ceux qui sont restés acceptent tacitement la primauté du français au Québec. Les jeunes anglophones maîtrisent très bien les deux langues, car la plupart des écoles anglophones offrent des cours d'immersion en français, auxquels sont inscrits davantage d'étudiants qu'aux cours dispensés en anglais. Même les enfants qui étudient en anglais ont 14 heures de cours en français par semaine. Malheureusement, les efforts que déploie la communauté pour s'adapter à la réalité francophone ne sont ni connus ni appréciés par la majorité des Québécois. Les anglophones comprennent bien l'importance de préserver la langue et la culture françaises en Amérique du Nord. C'est d'ailleurs une des facteurs qui nous incite à rester à Montréal, au lieu d'opter pour le « melting pot » nord-américain qui nous entour.

Si les anglophones peuvent reconnaître cette réalité, la majorité francophone devrait au moins comprendre que les anglophones veulent aussi préserver leur sentiment d'appartenance à une communauté, leur identité et leur infrastructure communautaire au sein du Québec. Malheureusement, la plupart des francophones nous perçoivent trop souvent comme un groupe qui constitue l'extension linguistique naturelle de l'océan d'anglophones peuplant l'Amérique du Nord, et n'a besoin d'aucune protection. Mais nous ne sommes ni Torontois, ni New-Yorkais, ni Californiens. Le fait de partager la langue maternelle de la plupart des

Nord-Américains n'enlève pas le fait qu'il y avait plus de 250 000 enfants dans les écoles anglaises au Québec en 1970, alors qu'ils ne sont qu'un peu plus de 100 000 aujourd'hui. La diminution de notre communauté nuit considérablement à la capacité de nos institutions à recueillir des fonds, à offrir les services nécessaires et à conserver les membres les plus qualifiés et les plus brillants de la communauté.

Bien des gens croient que, si la communauté anglophone du Québec est plus forte, inversement cela affaiblira la langue française et la majorité francophone. Ce n'est pourtant pas le cas. La langue française est ancrée plus profondément que jamais dans chaque segment de la société : l'économie, la culture, les services sociaux et l'éducation. Il ne s'agit pas de vases communicants. La Charte de la langue française (*Loi 101*) permet certainement de mesurer la protection et la promotion du français, en garantissant sa prévalence et sa forte présence partout, et en inculquant aux immigrants comme une langue nécessaire. Mais tout cela peut se faire sans nuire à la communauté anglophone.

Où en sera la communauté anglophone québécoise dans 20 ans? Compte tenu de quelques dispositions dans la loi en vigueur aujourd'hui, qui ne permet pas la croissance de nos institutions, l'infrastructure communautaire ne peut que devenir de plus en plus réduite avec le temps. Allons-nous arriver un jour au point où la majorité de la population sera suffisamment sûre que la langue française est protégée et assez solidement implantée au Québec pour autoriser une certaine flexibilité dans les restrictions imposées par la *Loi 101*, que même René Lévesque avait jugées trop draconiennes lors de l'adoption de la Loi? Certains réagiront sans aucun doute agressivement au changement le plus minime destiné à assouplir les dispositions linguistiques, affirmant que cela nous engage sur une pente glissante mettant en péril les gains réalisés ces 30 dernières années. Mais, comme Québécois, comme membre de la minorité québécoise historique et quelqu'un qui vit encore au Québec même si mes trois frères, de nombreux amis et d'autres membres de ma famille sont partis, je crois que c'est une question que j'ai le droit de poser. Cependant, le moment ne soit jamais bien choisi pour poser cette question parce que tous ceux qui s'y risquent sont accusés de réveiller le débat linguistique. Malheureusement, cette question légitime ne deviendra pertinente que lorsque les membres de la majorité se la poseront eux-mêmes. Si la communauté anglophone est un segment fondamental et nécessaire de la société québécoise et la communauté francophone majoritaire veut que notre communauté et son infrastructure continue à ajouter à la société québécoise pour les 20 prochaines années, il est temps que quelqu'un pose enfin la question.

Robert Libman a cofondé le Parti Égalité en 1989. Alors qu'il était à la tête du Parti, il a été élu député à l'Assemblée nationale du Québec pour la circonscription de D'Arcy-McGee. Par la suite, il a été élu maire de Côte Saint-Luc et a siégé au Comité exécutif de la Ville de Montréal, à titre de maire de l'arrondissement de Côte Saint-Luc/Hampstead/Montréal-Ouest.

Bill 104 decision will test the Liberals

Will anglo MNAs stand up for their community if law is struck down?

ROBERT LIBMAN
and TONY KONDAKS

The PQ government passed Bill 104 in 2002 to close a loophole in Bill 101. This allowed some Quebec residents, whose children had previously attended unsubsidized private schools in English, to send their children to English public schools. Bill 104 was struck down by the courts last year as unconstitutional. That court decision was immediately appealed to the Supreme Court of Canada by the Liberal government that was then in power.

It certainly was not a warm and fuzzy feeling for the anglophone community to see how quickly the Liberals moved to appeal the judgment. Before you could blink an eye, they were falling over each other to grab the closest microphone and announce their intent to appeal. Bill 104 shuts the door for only a tiny number of students – 500 or so – which represents an astonishingly negligible one-twentieth of one per cent of the population of students in French schools. But the Liberals couldn't act quickly enough to support the PQ attempt to eliminate this loophole. And all this without a peep from our anglophone MNAs, whom the Gazette has called upon several times to comment.

The imminent Supreme Court decision is at least as important as its December 1988 judgment that ruled that Bill 101's rules on the language of commercial signs were a violation of freedom of expression guaranteed by the Canadian and Quebec charters of rights. A few days after that decision was handed down, then premier Robert Bourassa's Liberal government famously invoked the "notwithstanding" clause by passing Bill 178, which also led to the death of the Meech Lake Accord.

Signs are one thing; access to English schools is quite another. Language of education provisions of Bill 101 (and its predecessor Bill 22) have decimated the English school system by effectively reducing its student population from about 260,000 in 1970 to a paltry 110,000 today. If the Supreme Court upholds the lower court decision to strike down Bill 104 and the loophole that Bill 104 closes is reopened, we believe that at least one obstacle to the survival and growth of the English community will have been overcome by allowing a new infusion, albeit slight, into English schools.

The particulars of this case exclude the use of the notwithstanding clause by Quebec. However, the response that we are most concerned with this time is a constitutional amendment. Should Bill 104 be over-

constitutionalize the provisions of Bill 104, effectively closing the loophole. This could be supported by the other parties in the Assembly that would have no problem tightening the screws further on the anglophone community.

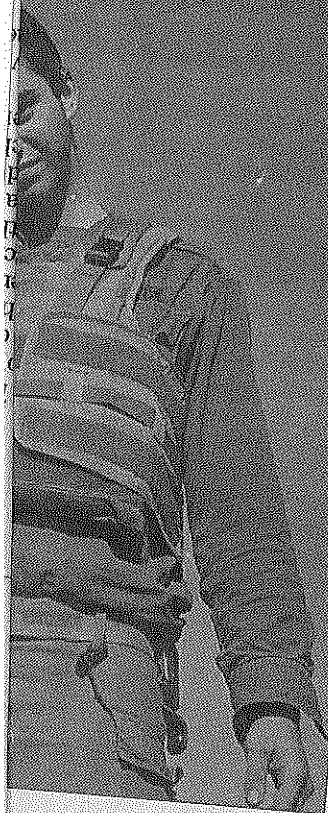
If such a resolution were passed by Quebec, the Canadian government in place at the time would not hesitate to push it through the House of Commons, thus fulfilling the requirements of the amending formula. This would be in keeping with what has unfortunately become de rigeur for successive Canadian governments on language issues: currying favour with Quebec nationalists to garner electoral support in our province. In fact, the Canadian attorney-general has even sided with Quebec in one of the Bill 104 cases.

At the time of Bill 178's passage, three anglophone cabinet ministers – Richard French, Clifford Lincoln and Herbert Marx – resigned in protest against the Liberals' betrayal of their loyal core supporters in the anglophone and allophone communities of Quebec. They were joined in solidarity by two other Liberal MNAs – Joan Dougherty and Harold Thuringer – in voting against the bill.

Much has been made of late about anglophone representation in the Charest cabinet being doubled with the nomination of Kathleen Weil. But to be valued as such, these representatives as well as the other anglo MNAs must be defenders of the community's interests. The Bill 104 case is an important litmus test, especially for Weil who is justice minister.

These MNAs and cabinet ministers must send a loud and clear message to their confreres in the government: If the Supreme Court rules favourably to the English community, Charest must not attempt any actions that would eliminate the loophole that Bill 104 closes. Let Bill 104 die at the hands of the court and accept and respect the judgment, as Bourassa should have done 20 years ago.

If not, let the anglophone community's representatives take inspiration from Marx, French and Lincoln and resign. The mere possibility of a few resignations from his caucus should prompt Jean Charest to respect the judgment, as his majority government is very slight. Anglophone representatives have an opportunity to represent their community on a fundamental issue that goes to the heart of the community's vitality. We must ensure that they step up when the Supreme Court judgment comes down.



AMIR COHEN REUTERS

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