



## Have Your Say: Justin Trudeau and Bill 96

### Description

# The Prime Minister must disallow Bill 96, an act to strengthen Bill 101

December 2, 2021

Unfortunately, Bill 96, an act to strengthen Bill 101, the Charter of the French Language, will be ratified by the National Assembly and most likely supported by the Quebec Liberal Party. The legislation attacks the individual rights and freedoms of all Quebecers – English, French and cultural communities, and the First Nations and Inuit peoples. It is also a direct assault on the English and cultural communities and their institutions.

Let's not mince words – Bill 96 is designed to create another exodus that has already started and to make life more difficult for those who remain, with the goal of persuading these people to leave. That we have a provincial government with such an agenda is tragic but Premier Legault, a self-described nationalist, embraces his mission and will not be deterred.

Many communities and individuals will face disaster due to Bill 96, but we can fight back. Of course, there will be immediate legal challenges to many elements of the legislation and we should support those efforts with donations and implore lawyers to work together pro bono on behalf of the citizens of this province. The federal government can also refer Bill 96 directly to the Supreme Court as a reference case.

However, all residents of Quebec and Canada can act to have Bill 96 quashed immediately by insisting that Prime Minister Justin Trudeau disallow the law the moment it receives royal assent. Section 90 of the British North America Act gives the federal government the authority to block any provincial legislation within one year of its passage.

Disallowance was last invoked in 1943 when the government of Alberta passed a law that prevented members of the Hutterite community from purchasing land. The law violated the rights of individuals and targeted a religious minority. Quebec's Bill 21 should also have been disallowed immediately.

Disallowance is one of the four protections provided to the English community via the BNA Act, the others being: Section 93 to protect our school boards; Section 133 to ensure bilingualism in the Quebec and federal legislatures and the courts; and the last was a clause that protected the boundaries of ten provincial ridings in



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the Eastern Townships with English majorities.

This was the quid pro quo of Quebec becoming a province with a French Canadian majority and the English community becoming a minority community – the result of the Confederation Debates of 1865. Disallowance also protects the French minority community in Ontario, and it has been extended to those in other provinces. Before Confederation in 1867, Quebec and Ontario were part of the United Province of Canada.

A demand for disallowance was requested to stop Manitoba's legislation to eliminate the rights of the French community. Sadly it was not invoked, and when Ontario brought in Bill 17 to attack the rights and institutions of the French community, bishops from Quebec asked Laurier to disallow the law. Laurier replied that, should disallowance be invoked, a precedent would be set to protect the English community in Quebec.

When Bills 22 and 101 were passed in 1974 and 1977, hundreds of thousands signed petitions demanding that these language laws be disallowed and they attended rallies and demonstrations to back up the petitions. Alas, Prime Minister Pierre Trudeau refused the requests and we now live with the daily impacts of these laws that violate the rights and freedoms of all Quebecers and are direct attacks on the English and cultural communities.

Not only have we lost over 500,000 people from the English community due to an ongoing exodus, and many institutions, and witnessed the destruction of many rural communities, but enrolment in English public schools plummeted from 250,000 plus in 1973-74 to less than 100,000 today. This is a disaster with many ramifications. And we cannot forget that at least half of all immigrants to Quebec leave for other provinces, and many French Canadians have left Quebec to seek greener economic pastures.

We must insist that the federal government disallow Bill 96. Please join [The Committee to Disallow Bill 96 on Facebook](#) and demand that Justin Trudeau fulfil his constitutional duty and obligation to protect the rights of every Quebecer and the English and cultural communities. What is going on in Quebec when you include Bill 21 is not reflective of a liberal democratic society where equality before the law is the norm and the primacy of individual rights is a given.

It is unlikely that Trudeau will disallow Bill 96, but we must insist. If we do not formally request its use, we are giving our consent and saying, "we don't care." Bill 96 attacks rights and its impact on Canadian law will be corrosive if it is permitted to remain. That Legault shielded it with the notwithstanding clause to protect it from legal challenges should worry all. Bill 96 does not reflect Canadian values.

The Committee has secured the help of an MP to authorize a petition on the House of Commons petition web page that will be placed days after Bill 96 is passed. The goal is to secure several hundred thousand signatures via a nationwide campaign based on people signing and sharing the petition and a positive media campaign reaching out to newspapers, human rights groups, and elected officials. No stone shall be left unturned. Every Canadian has a stake in Bill 96 being disallowed.

The campaign also includes rallies and demonstrations. On December 5 at 1 pm in Girouard Park, NDG, there will be a gathering at the Cenotaph. We also plan to hold demonstrations throughout Quebec and Canada, including outside the National Assembly in Quebec City and at Parliament Hill in Ottawa.

The situation may look bleak, but we cannot go gentle into that good night. We must resist and fight back. We may not win, but history will record that we fought back. Our motto is simple – "Never give up, never surrender." Together we can make a difference. Please join us.

Sincerely,

Irwin Rapoport  
Montreal



Hugo Shebbeare  
Montreal

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1. Opinion
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1. Bill 96
2. Have Your Say
3. Hugo Shebbeare
4. Irwin Rapoport
5. Prime Minister Justin Trudeau

### Date Created

December 2021