

Macpherson: Legault makes a case against his own school-boards proposal

Legault implied that since the English boards can go to court to defend the English-speaking community's schools, they must be abolished.

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ANGELA MANCINI
Chair of EMSB

To an English-speaking community that sees itself, and in particular its schools, as under attack by Quebec governments since the mid-1970s, Premier François Legault has made a strong case against his own proposal to abolish the province's school boards.

This week, the English Montreal School Board (EMSB) went to court to seek an injunction against the expropriation of two of its schools by Legault's government, which had ordered them transferred to a French-language board for the next school year.

Those English schools are half-empty, while the French-language board is facing a sudden shortage of classrooms.

Neither situation is the making of the pupils, parents and staff in the English schools whose lives have suddenly been disrupted. Rather, they're effects of Quebec's language law, Bill 101, which generally requires that immigrant children go to French school.

Among other arguments, the EMSB says the seizure violates the constitutional right of official-language minority communities to control their schools. And it had proposed an alternative that would relieve the crisis in the French board while respecting that right.

The English board volunteered to share space in its schools with the French one. But exposing children being taught in French to English in the schoolyard would violate the sacrosanct spirit of Bill 101.

So, the French board rejected the EMSB's offer, holding out for the outright transfer of the schools. And it had the backing of Legault's education minister, Jean-François Roberge, who promised to give it what it wanted if it refused the compromise offered by the EMSB.

The Coalition Avenir Québec government is not the first in the province to violate minority rights. But none did it so often and so quickly after coming to power as Legault's government by the majority, for the majority.

When the English board went to court, it was the second time in only nine months under the CAQ that a minority has been forced to hire a lawyer to defend itself against the government.

Only two weeks earlier, a student teacher who wears the hijab became the plaintiff in [a court challenge against the newly enacted Bill 21](https://montrealgazette.com/news/quebec/bill-21-is-about-to-be-challenged-by-the-lawyer-who-faced-down-bill-62). (<https://montrealgazette.com/news/quebec/bill-21-is-about-to-be-challenged-by-the-lawyer-who-faced-down-bill-62>) which bars her from practising her chosen profession.

And there will probably be a third court case if the CAQ government abolishes the school boards.

After the EMSB applied for its injunction, [Legault implied](https://www.journaldequebec.com/2019/07/03/opposition-denglish-montreal-au-transfert-decoles) that it was another argument in favour of abolition.

In other words, the elected English boards have the legal status and financial means to go to court to defend the English-speaking community's schools, so the boards must be abolished.

This would deprive the community of its most effective defence. While Quebec's politico-media class pays lip service to the community's right to control its schools, it has exerted little pressure on Legault to respect it.

The confiscation of English schools that has become routine under the CAQ, and its proposal to abolish the boards, affect the English-speaking minority directly. But they would also create precedents with implications for the French-speaking minorities in the rest of Canada. And the two largest of those minorities understand that.

On the same day that the EMSB went to court, the Société de l'Acadie du Nouveau-Brunswick and the Assemblée de la francophonie de l'Ontario joined with the Quebec Community Groups Network in a partnership to defend minority language rights. And they [expressed support](https://montrealgazette.com/news/local-news/francophone-groups-outside-quebec-support-embs-fight-to-keep-schools) (https://montrealgazette.com/news/local-news/francophone-groups-outside-quebec-support-embs-fight-to-keep-schools) for the EMSB.

The Legault government has been courting the French-speaking minorities, [inviting them](https://ici.radio-canada.ca/nouvelle/1168388/sommet-quebec-2020-rapprocher-francophones-canada) (https://ici.radio-canada.ca/nouvelle/1168388/sommet-quebec-2020-rapprocher-francophones-canada) to a summit in Quebec City next summer to acknowledge Quebec as leader of all Canadian francophones.

But Quebec [has not been the friend](https://montrealgazette.com/opinion/columnists/macpherson-at-the-hockey-jersey-summit-different-colours-same-team) (https://montrealgazette.com/opinion/columnists/macpherson-at-the-hockey-jersey-summit-different-colours-same-team) of those minorities, often taking the side of their respective governments against them in court cases that might uphold or extend the rights of its English-speaking community.

And by the time the summit is held, the French-speaking minorities might be in court again, crossing language lines to side with their English-speaking counterparts in Quebec against their host.

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This Week's Flyers

The image shows three promotional flyers. The first is for 'DORMEZ-VOUS?' featuring a bed and a 'HOT PRICE \$399.99' tag. The second is for 'PETSMART' with a 'healthy & active' theme and various pet products. The third is for 'SUMMER' featuring a dog and outdoor gear.

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