

As soon as adopted, the law on French is already challenged in the courts

Helen Hernandez · 2 days ago 🔥 16



Barely passed, Bill 96 on the French language has already been challenged in court by the English-Montreal School Board.

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"The Act respecting the official and common language of Quebec, French, violates the Constitution [...] and violates the right of the English-speaking community to manage and control its educational institutions," said the school board in a lawsuit made public yesterday at the Montreal courthouse.

Written entirely in English with the exception of legislative passages which have not yet been translated, the 47-page request is a full-throttle charge against the new law adopted last week by the government of François Legault.

She asks the courts to invalidate entire sections of the law or, at the very least, to declare that "the National Assembly cannot [...] alter the interpretation of the Constitution Act, 1867".

No to French

In the court document, the English-Montreal School Board (EMSB) opposes the obligation to offer French translations in its internal communications and in its administrative documents.

Nor does the latter want to be forced to offer the French option in its services, as well as bilingual posters.

“[Ces passages] of the law violate language rights under section 23 of the Canadian Charter of Rights and Freedoms,” reads the court document.

This section provides for specific rights with respect to education in an official language of the minority.

Like law 21

This is the same defense that was successfully used to exempt English schools from the Secularism of the State Act, also known as Bill 21, which, among other things, prohibits teachers from wearing religious symbols in the context of their work.

However, this case was appealed.

In the case of Bill 96, rather than forcing the use of French in certain communications and for non-pedagogical services, the EMSB says it wants to promote French immersion courses.

This would make it possible to produce perfectly bilingual students, she said in a press release last week after the entry into force of the law which will also freeze the number of places available in the English-speaking college network.

She had also invited “Anglophone institutions and any organization interested in fundamental human rights” to support her cause.

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