

THE PROTESTANT SCHOOL BOARD OF GREATER MONTREAL

A Presentation To

**The Prime Minister of Canada
The Premiers of the Provinces**

and

**The Senate — House of Commons
Committee on the Constitution**

From

**The Protestant School Board
of Greater Montreal**

October, 1980

WE WANT PARENTS TO HAVE THE KIND OF EDUCATION THEY WANT FOR THEIR CHILDREN. TO DO THIS THEY MUST HAVE CHOICES AND THE STRUCTURES TO FULFILL THEIR WISHES. THESE STRUCTURES AND CHOICES MUST BE GUARANTEED BY THE CONSTITUTION.

PREAMBLE

The Canadian Constitution must concern itself with providing necessary safeguards and supports for the maintenance and nourishment of the two major linguistic groups, French and English, the terms being used in their broadest sense.

We have read the proposed draft of the Constitution Act, 1980 and share its fundamental thesis that the federal government has a primary responsibility for the delineation and protection of basic rights of all Canadians. Our views concerning the language of instruction in the schools and the retention of educational rights and privileges as found in the Constitution Act, 1867, will be found later in this presentation.

We do not intend to define Culture but to say simply that different cultures exist, although their boundaries often overlap. We quote the Beige Paper, "Culture is a very broad and complex area: and it is a matter of major importance to all the Provinces and particularly Quebec". (1)

Since the home and the school are the two essential agents in the preservation of culture, it is imperative that the constitution provide both educational and linguistic guarantees. The relation of these guarantees to the structures which implement the guaranteed rights and safeguard the values of both majority and minority groups will be outlined in the following pages.

These guarantees must be Federal not Provincial in nature for no Province is exclusively monocultural and with ever increasing rates of inter-provincial migration and the rapid increase in communication it is likely that demands for provisions for minority education will increase.

No Provincial jurisdiction should be so complete that a Province can pass a law which would effectively take away a fundamental freedom which a minority would have, if it were part of a majority in another Province. If minority education were made a provincial jurisdiction without federal guarantees, what is happening in Quebec; i.e., steady suppression of English, could happen elsewhere for French.

In Canada we have a curious paradox. Those Provinces with small French minorities percentage-wise are steadily increasing their services to those minorities. In Quebec with a 20% Anglophone population (equal to the population of several Provinces) we have had a series of repressive laws (culminating in Bill 101) which, if allowed to continue, will effectively decimate Anglophone education, Anglophone job opportunity, and Anglophone social services. The Federal Government has done nothing to stop or even slow down this trend. In fact it may have helped it by refusing to make Quebec accountable for money given it for minority language education. The money simply went into the general revenue of Education.

In a sense Quebec is a mirror image of the other Provinces in educational matters.

In the other Provinces the great multicultural mass of people send their children to the public schools and elect their non-denominational school boards. Their separate schools are denominational.

In Quebec (in general) the minority Protestant school boards educate a great variety of religions and cultures* including French Protestants. The great majority of the people is French and their children go to Roman Catholic denominational public schools under the jurisdiction of French speaking school boards some of which operate English Catholic sectors as well.

(1) A NEW CANADIAN FEDERATION: The Constitutional Committee of the Quebec Liberal Party. It is usually referred to as, "The Beige Paper". See p. 78.

* Law 101 is forcing them including many Anglophones into French schools. In Greater Montreal the English Catholic schools are multicultural.

FUNDAMENTAL RIGHTS IN EDUCATION

The Protestant School Board of Greater Montreal wishes to present certain proposals in regard to primary and secondary education to those who will be making the decisions on a new constitution for Canadians. These proposals will contain our reaction to various suggestions and our own assessment of the present situation in the light of our experience over the past two decades.

The PSBGM predates Confederation. It has had a lengthy experience with denominational education as found in Quebec. It is the largest Protestant School Board in Quebec and one of the largest in Canada. The commissioners are representative of the non-Roman Catholic community and include at least one person from each of the following groups: Protestants, Jews, Greek Orthodox; whites, blacks; males, females; educators, housewives, lawyers, business men, and executives. It has a long history of presentations to Commissions and Legislators desirous of making changes in Education in Quebec.

Although the PSBGM believes that ideally before any constitutional proposal re areas of education and culture is formalized for presentation to the people of Canada, there should be extensive consultation with the many "classes of persons" which constitute the Canadian Scene, the PSBGM out of its diversity, ventures to propose a formula which will give the members of the two major linguistic groups a vehicle to preserve their language and values through that potent force, Education.

Its presentation is based upon 7 fundamental concepts:

1. That there is, has been, and will be a Country, Canada, composed of two majority cultures and many others, numerically smaller but important because of Canada's multicultural nature.
2. That this Country, Canada, has a fundamental responsibility to serve with equity and justice these many cultures and promote their welfare without sacrificing the rights of others and to respect these cultures.
3. That the right of each citizen to use his own language freely and to have his children educated in the official language of choice is fundamental and this right must be guaranteed in the new constitution.
4. That Education is a fundamental right of all citizens and therefore must be guaranteed on a Canada-wide, i.e. federal basis.
5. That there are Federal, Provincial, and Local responsibilities and jurisdictions in Education which must be clearly defined in the Constitution and that appropriate financial support must be guaranteed to each authority so that it can carry out the role which has been assigned to it.
6. That money spent which raises the educational level of our country is an excellent investment for the development of our human resources.
7. That the culture or language of either major linguistic group, French or English, cannot be adequately preserved much less strengthened by having its schools under the control of the other major linguistic group, English or French.

Our greatest fear is that the new fathers of Confederation will unwittingly contribute to the slow assimilation of English Culture in Quebec and the French culture in other Provinces. This will be done by dropping Article 93 of the BNA Act, section 1, i.e. the dropping of denominational guarantees in Quebec and Ontario with the result that there will be either unified* or linguistic* school boards, or no supporting school boards at all.

The concept of unified boards has a great appeal to idealists and liberal thinkers, but what they are proposing is a unified society. The French do not want a unified society unless it is French. Roman Catholics do not want a unified society unless it is Roman Catholic. We want to live in peace and friendliness with our neighbors but with mutual respect for our languages and culture.

* see definition in Appendix A.

In fact unified School Boards would mean long term assimilation of minorities on the Island of Montreal and short term assimilation in the rest of the Province.**

The reasons for this statement are as follows:

- a) Education, particularly the philosophy and values held by the School Board as expressed by its many decisions, is a most powerful force for cultural retention or modification. On the Island of Montreal, only by careful and judicious selection of boundaries could a majority English culture School Board be elected and even that would be divided by religious and cultural differences. These differences should not be destroyed by conflict but retained through separate but equal educational forces. Outside of Metropolitan Montreal, English are a distinct minority even when Catholics and Protestants are combined. Thus unified Boards would in reality be of the French culture which means assimilation either short term or long term as the case may be. The result is the same. The time will vary locally.
- b) ASSIMILATION MEANS THE POLARIZATION OF CANADA INTO TWO LANGUAGE AREAS AND HENCE ITS EVENTUAL DISSOLUTION. Quebec will become completely French. The other Provinces (New Brunswick is a question mark) will become English. But a viable minority in each Province means that the other presence will be heard and felt and communication maintained. All of this will lead to a better understanding on both sides. Canada will remain a country with problems and important differences but still a country greater than the sum of its parts.

This question is fundamental and very real to us. Do the New Fathers of Confederation want minorities, however large, to be assimilated or strengthened?

- c) We, as representatives of an Anglophone minority, would be helpless to protect its existence through Education if Article 93 were abolished and legislation were then passed creating unified boards. We note too that our observation of unified boards does not strengthen our desire to accept them as the protectors of minorities.

We wish to point out too that linguistic guarantees, even the guarantee of linguistic* school boards, are not a complete answer. While we would accept the latter providing that they had the same guarantees as are now found in the BNA Act for denominational boards, there is a great desire on the part of Roman Catholics to retain control of their schools.

Thus a change in Quebec to linguistic Boards would only give rise to a new set of disagreements and a new demand for separate English Roman Catholic schools and School Boards. We see no reason for making a change when its outcome is of dubious permanence and perhaps dubious value.

* See definition in Appendix A.

** (A much more detailed presentation of this statement will be found in a recently published statement (Aug. 1980) of the Positive Action Committee).

RECOMMENDATIONS

We therefore propose that the new constitution contain the following:

A. Individual and collective rights.

1. THE RIGHT OF ALL PARENTS TO CHOOSE EITHER OF THE TWO OFFICIAL LANGUAGES OF CANADA AS THE LANGUAGE OF EDUCATION* FOR THEIR CHILDREN.**

This right to choose differs from Section 23 of the proposed Constitution Act, 1980 which, if enacted will effectually prevent many English-speaking children, including children from Great Britain and the U.S. from being educated in English in Quebec, many English-speaking children in the other provinces from being educated in French, and many French-speaking children in Quebec and elsewhere from being educated in English. Surely this right to choose the language of instruction in a country with **two official languages** is a fundamental right. This right is inherent in the decision regarding the fundamental question: Do we want one country with freedom and respect for our different cultures or do we want a country composed of two cultural, linguistic ghettos, the result of inevitable assimilation of minorities within their gates.

Bilingualism is a great asset and we want the decision to widen the child's education to be given to the parent not the state. We also want the parent to decide whether such a step incurs the risk of assimilation and if so, does he accept this risk?

In Quebec this recommendation can be implemented within the present denominational system which, we believe, the majority of our people wish to maintain. Those parents who do not wish their children to be exposed to the religious teaching in the school should have the right to have their children excused from it. The right of dissent* which is now available to Protestants and Roman Catholics only, could be extended to other denominations where numbers warrant.***

2. THE RETENTION OF THE RIGHTS AND PRIVILEGES GUARANTEED BY ARTICLE 93 OF THE BNA ACT, AND THE GUARANTEE THAT ANY CHANGES IN THE CONSTITUTION NOT DIMINISH, INFRINGE UPON, OR WITHDRAW ANY EDUCATIONAL RIGHTS AND PRIVILEGES ALREADY GUARANTEED IN THE BNA ACT.

It is our reading of the proposed Constitution Act, 1980, that Article 93 of the BNA Act remains intact. We support this wholeheartedly for it continues educational guarantees which have stood the test of time in at least the two largest Provinces in Canada, Quebec and Ontario.

We must remember that the denominational guarantees, equivalent for both Roman Catholics and Protestants, are defenders, de facto, of the two languages, French and English, in Quebec. These guarantees must not be dropped or replaced by anything which would diminish, infringe upon or withdraw any educational rights and privileges already guaranteed in the BNA Act.

* See definition in Appendix A.

** This decision must not be irrevocable once made but should be subject to change as best meets the needs of the child as determined by the parents.

*** A proposal for the definition of practical limits will be found in Appendix C.

- d) that an amount be determined for each Province by multiplying the fixed percentage of c) above by its Gross Provincial Product,
- e) that should the amount in d) be less than the amount in b), the difference be made up by the Federal Government.

But we need two safeguards:

- a) that the minimum program be determined objectively; i.e., in terms of dollars spent per pupil and
- b) that the only control by the Federal Government be one of accountability to ensure that the monies received by the Provinces be spent for the educational welfare of their primary and secondary pupils and that the Province does not thereby decrease its own contribution to these pupils.

2. TO SUBSIDIZE MINORITY EDUCATION BY DIRECT PAYMENTS TO SCHOOL BOARDS.

The Federal Government has spent hundreds of millions of dollars for this principle with very mixed results in the various Provinces. Although we are probably the largest minority school board in Canada, we have not received one penny above our regular budget for this purpose.

We wish to make two significant points which relate to this Recommendation.

- (a) Minority education is more expensive than majority education. This is due in part to the smaller number involved and in part to the extra cost of minority official language instruction which the Federal Government has estimated at 9%. Therefore, to achieve equality, more money must be spent.
- (b) Since we charge the Federal Government with the responsibility for the provision of a minimum standard across Canada, it is logical that the monies for the extra costs of minority education come from the Federal purse. It is essential that the criteria and formula for the payment of these monies be objective and clear to all. These monies should be paid directly to school boards under strict accountability. It is also essential that equivalent amounts are not deducted from other sources of income, thus effectually nullifying the intent and effect of the law."

* This will be illustrated in Appendix B.

3. TO DEVELOP, AND CONTINUOUSLY IMPROVE COURSES, WHICH SHALL BE GIVEN IN ALL CANADIAN SCHOOLS, WHICH WILL FOSTER A PRIDE IN BEING A CANADIAN AND BELONGING TO A COUNTRY CALLED CANADA.

In this regard we recommend that the Federal Government, in consultation with the Council of Ministers, appoint scholars in the field to produce within ten years a History of Canada in the two official languages which will present in an interesting and objective manner the rich tapestry of events which has produced this Country.

4. TO GUARANTEE LANGUAGE INSTRUCTION AS FOLLOWS:

- First language: that all parents will have the right to have their children educated in either French or English, as they choose, i.e. the language of instruction is French or English as the case may be, where numbers permit.
- Second language: that each child will be given the opportunity to learn the other official language, French or English, as the case may be. All children should have some knowledge of the second language leading to the ultimate goal of a bilingual Canada. Second and third (etc.) languages are assets no matter what you do or where you are.
- Other languages: where numbers permit, we propose that instruction be made available in other languages. This proposal will do much to retain and nourish the many cultures that are presently part of the Canadian mosaic.

5. THE FEDERAL GOVERNMENT SHOULD HAVE THE RIGHT AND RESPONSIBILITY TO DISALLOW ANY PROVINCIAL LAW WHICH IS PREJUDICIAL TO INDIVIDUAL AND MINORITY RIGHTS IN EDUCATION AS STATED IN THE CONSTITUTION.

Otherwise these rights would be meaningless. This right of disallowance should be exercised upon the call of a Provincial organization of School Commissions after due hearing before the Courts at Federal expense.

6. WE PROPOSE FURTHER THAT THERE BE ESTABLISHED THE OFFICE OF EDUCATIONAL **OMBUDSMAN** WHICH WOULD HAVE THE RESPONSIBILITIES OF HEARING AGGRIEVED PARTIES, ATTEMPTING TO FIND ACCEPTABLE SOLUTIONS, AND MAKING RECOMMENDATIONS TO PROPER AUTHORITIES FOR NEEDED CHANGES.

C. The Provincial* Role

We have recommended important roles in Education for the Federal Government which include studies in French, English, and Canadian Citizenship.

1. WE RECOMMEND THAT, WITH THE EXCEPTION OF THE MATERIAL ENVISAGED IN RECOMMENDATION 3 (FEDERAL), THE PROVINCES DECIDE THE CONTENT OF THEIR SEVERAL CURRICULA BUT WITH SUFFICIENT FLEXIBILITY, TO ALLOW SCHOOL BOARDS, IN TURN, TO MAKE PROVISION FOR LOCAL AND REGIONAL DIFFERENCES.

Our reasons are as follows:

- a) The educational needs of the Provinces are different calling for different approaches, different curricula, different emphases. The Provinces must have flexibility to meet their needs as they see them. (We extend this same concept to School Boards).
- b) A Federal curriculum would create a situation where change would almost be an impossibility owing to the inertia involved; witness the decades it took to change Great

* See definition in Appendix A.

Britain's educational system which has a much more flexible approach than is present in Canada. In these times of rapid change, we do not need built in obsolescence. Provincial jurisdiction gives a balance between inertia and the latest fad.

- c) Some have suggested that Provincial jurisdiction with the proper Federal safeguards outlined elsewhere has an important role to play in the safeguarding and development of French culture in Quebec.

Since we are dealing with a Canadian Constitution we do not go into detail in regard to Provincial administration of Education except to say that:

2. WE RECOMMEND A PROVINCIAL EQUALIZATION PROGRAM FOR SCHOOL BOARDS SO THAT ALL CHILDREN WILL HAVE AT LEAST A MINIMUM LEVEL OF EDUCATION WITHIN EACH PROVINCE.
3. WE RECOMMEND THAT SCHOOL CORPORATIONS BE GIVEN PRIMARY IF NOT EXCLUSIVE RIGHTS TO AN ADEQUATE AND RELATIVELY STABLE TAX BASE.

School boards must have access to adequate financial sources and the right to determine the amounts to be spent on Education with full accountability to the people. Studies have shown that real estate is the best source for school funds for real estate evaluation is a reasonably stable tax base. School expenditures do not fluctuate excessively but it is essential for school boards to be able to anticipate their revenues far at least a year in advance. An unstable tax base or continual changing of the equalization rules, such as we are subjected to at the present, does not allow for long term planning which is necessary for the development of a good educational program. If the yield from local real estate is inadequate to provide a minimum standard then an equalization program comes into effect.

A school board under an equalization program should have the right to surtax above that program so as to provide above minimum education should its citizens demand it. This parallels the right of Provinces to go beyond the Federal minimum educational program.*

* See too Appendix D.

APPENDIX A

DEFINITIONS

Dissent

In Quebec the first schools in a district were common schools; i.e., all children had the right to go to them. But Roman Catholics and Protestants have the right to "dissent", that is, form their own school board and have their own schools. (The Dissentient Board is usually Protestant but not always.) Other denominations do not have this right, but their children have the right to go to the "common" school.

Language of instruction

This refers to the primary language used generally by the teachers in the school. They may use French entirely during French Periods but the language of instruction is English. The situation is reversed in schools where the language of instruction is French.

Unified Boards

This term has come about through the several proposals (none accepted) to replace the present denominational boards in Quebec. The term refers to a school board to which all citizens could be elected. Such a board would parallel the majority of boards in the other Provinces. There, the denominational board, usually Roman Catholic, is called the Separate Board.

Linguistic Boards

These would be composed of and elected by persons adhering to one language. They would override denominational differences.

Province

As in the proposed Constitution Act, 1980, we include the Yukon Territory and the Northwest Territories in the scope of this word.

APPENDIX B

ILLUSTRATION OF THE PLAN FOR A FEDERAL SUBSIDY OF EDUCATION

Let us illustrate by a hypothetical case.

- a. A Province has 300,000 children ages 5-16 inclusive.
- b. the Federal minimum expenditure per child is set at \$2,000.
- c. The Province has a gross Provincial Product of \$2,000,000,000.
- d. The percentage of the Gross Provincial Product is 25%.

The minimum cost of education for this Province is:

300,000 pupils X \$2,000 per pupil, which equals \$600,000,000.

The minimum expenditure of the Province for Education is:

\$ 2,000,000,000 x 25% =	\$ 500,000,000	(c X d)
The Federal subsidy is:	\$ 600,000,000	(a X b)
less:	<u>\$ 500,000,000</u>	
	\$ 100,000,000	

We wish to point out that this proposal in no way prevents a Province from exceeding the minimum standard. It simply does so by increasing its part of its budget devoted to Education. The proposal does guarantee a minimum level across Canada.

APPENDIX C

PRACTICAL LIMITS

We believe that the following proposal administered with tolerance and compassion constitutes a reasonable compromise between justice and practicability.

SIZE	AREA	ACCOMMODATION
15 pupils	30 km radius	classroom(s) under teacher(s) of their own minority group.
100 pupils	60 km radius	school(s) with a principal and teachers chosen by their own minority group.
200 pupils	200 km radius	a School Board with the same powers as those of the majority.
1000 pupils	The Province	a Department in the Ministry of Education which will administer Provincial policies applicable to the pupils of its minority group. It will also administer matters which apply solely to its own minority group.

APPENDIX D

Present Quebec legislation, now before the Courts, completes a trend to centralize the financing of Education both local and Provincial in the Ministry of Education. The implications for control are obvious. We believe that local school boards have responsibilities to respond to local needs and should have the control of local financial resources so that these responses can be properly carried out.

We also assure other school boards that the instruments established to control minorities can be used to control majorities as well.

A complete analysis of the effects of recent Quebec legislation and the desirability of the right to tax and surtax real estate is found in the Presentation regarding Bill 50 of the Quebec Association of Protestant School Boards. This Presentation quotes the Belanger and Castonguay Reports regarding the importance of Property Tax to School Board autonomy.

RESOLUTION

EXTRACT FROM THE MINUTES OF A MEETING OF THE PROTESTANT SCHOOL BOARD OF GREATER MONTREAL HELD IN THE CITY OF MONTREAL ON THE TWENTY-SECOND DAY OF OCTOBER, ONE THOUSAND NINE HUNDRED AND EIGHTY.

PSBGM PRESENTATION OF CONSTITUTIONAL CHANGE

WHEREAS The Protestant School Board of Greater Montreal is deeply concerned with the future of minority education both in the Province of Quebec and in the other Provinces, and

WHEREAS the PSBGM is desirous of making representations to those who are planning changes in the Constitution known presently as the British North America Act,

THEREFORE it was moved by Dr. L.P. Patterson, Chairman of the Constitution Committee, and resolved on division that The Protestant School Board of Greater Montreal adopt the Report of its Constitution Committee and forward copies to:

- (a) The Governor-General
- (b) The Members of the Senate
- (c) The Members of the House of Commons
- (d) The Senate-House of Commons Committee
- (e) The Premiers of the Provinces
- (f) The Ministers of Education of the Provinces
- (g) Educational Organizations, viz. CEA, CSTA, QAPSB, etc.

VOTE: 11-2-1 (Mrs. J. Rothman, Mr. C. Whittaker dissented;
Mr. M. Polak abstained; M. R. Burnett absent)

IT WAS FURTHER RESOLVED THAT the Dissenting Opinion submitted by Mr. M. Polak, Commissioner, accompany the above noted report.

VOTE: 11-1-1 (Mr. F. Rudman dissented; Dr. Winifred Potter abstained;
Dr. J.A. Simms not present for vote; Mr. R. Burnett absent)"

CERTIFIED that the foregoing is a true and correct Extract from the Minutes of a Meeting of THE PROTESTANT SCHOOL BOARD OF GREATER MONTREAL held on October 22nd, 1980.

(Mrs.) Olga Kowcz,
Secretary General,
The Protestant School Board of Greater Montreal.

November 5th, 1980.

DISSENTING OPINION ON P.S.B.G.M. PRESENTATION ON CONSTITUTIONAL CHANGE

by

MAXIMILIEN POLAK, Q.C.
COMMISSIONER

Although I respect the majority opinion of the Commissioners of the P.S.B.G.M., and which was the result of many hours of research and discussion, I feel that in a matter as important as our Constitution, I should explain why I dissent.

The P.S.B.G.M.'s document, in my view, is based on idealism, lofty principles and a utopian approach, but is not mindful of the political realities of the year 1980.

I did not vote against the adoption of the document, because I believe in a number of the principles, but I also did not vote in favour of its adoption, because I do not agree with a number of basic issues. That is the reason that I abstained from voting and that I requested to have my dissenting opinion attached to the report.

A. I cannot accept the proposal in the presentation of "Freedom of Choice in Education" (the right of all parents to choose either of the two official languages of Canada as the language of Education for their children).

In my opinion a Constitution reflects a consensus of political attitude in our society and it has been quoted to be "a mirror reflecting the national soul". It is an embodiment of the basic values of Canadian society and I am convinced that the political realities of 1980 do not show any support for such freedom of choice, either on the federal level, or the level of all Canadian Provinces.

The Federal Government proposes certain Minority Language Educational Rights in the Canadian Charter of Rights and Freedom and more in particular in Article 23.

We all know the enormous difficulties which the Federal Government faces to obtain support for even such minimal guarantees, and under reserve of an amendment to this section. I respectfully submit that we should support such initiative and not propose something which is not acceptable to any level of Government.

Recently the present Government of the Province of Quebec has described the Federal Legislation as an attempt to destroy Quebec's Linguistic Sovereignty and Nullify the Charter of the French Language (Bill 101). I am convinced that Mr. Lévesque would prefer nothing better than that the P.S.B.G.M. officially proposes Freedom of Choice which will then be an additional argument in his favour to not only cloud the issues, but to stir up the language tensions and traumas of the sixties and seventies.

It is my fervent belief that such stand by the P.S.B.G.M. will play perfectly into the hands of the present Provincial Government.

Section 23 grants **citizens** of Canada, whose first language learned and still understood is one of the official languages, English or French, the constitutional right to have their children educated in their own official language. It is clear that this constitutional right to choose will not apply to non-citizens or to citizens who belong to the official language majority population of the province. Thus a province would remain free to place the children of immigrants in the majority language school systems of the province and to require children who are members of the language majority of that province to receive their education in that language.

Section 23(2) provides that citizens, who move between provinces, will be able to continue to educate their families in the language in which the children started their education, either English or French wherever facilities are available.

Personally I believe that such constitutional rights should be granted not only to citizens, but also to **residents** or individuals who obtained the status of **landed immigrant**.

I believe that the formula proposed by the Federal Government and even the amendment as suggested by me, is to a certain extent arbitrary, but the political realities of 1980 dictate that one cannot go further and only through the process of evolution shall we perhaps in the future be able to attain the lofty ideal of Freedom of Choice for all Canadian parents.

It is ironic that at the same meeting at which the P.S.B.G.M. adopted its Presentation on Constitutional changes, it also adopted a report on **The Effect of Bill 101 on English Education and the Inherent Inequities in the Language Provisions of the Law**. It is my view that the excellent report on the inherent inequities should be used to demonstrate the vindictiveness of the present Government of the Province of Quebec. However, any understanding in the Francophone community for the grave inequities in Bill 101 would be totally nullified by the adoption of the report on constitutional changes and which embodies the principle of Freedom of Choice.

B. I am also against the recommendation in the report granting an important and substantive Federal role in Education.

There is no doubt that neither the Federal Government nor any of the provincial Governments of Canada have the intention to transfer powers in the field of Education from the provincial Governments to the Canadian Government.

Again I submit that by taking such stand, the P.S.B.G.M. would be totally ignorant of the political realities of 1980.

My dissenting opinion should not be construed as a refusal to stand up for the rights in which we believe. On the contrary, I submit that the P.S.B.G.M. Presentation on Constitutional Changes will only play into the hands of the present provincial Government, weaken the stand of the Federal Government on substantive changes and will be interpreted as an attempt to turn back the clock and re-open the bitter linguistic divisions of the past.



MAXIMILIEN POLAK, Q.C.
Commissioner of the P.S.B.G.M.