



English Parents' Committee Association

English Parents' Committee Association (EPCA)
Association des comités de parents anglophone (ACPA)

A Response to BILL 1 A Quebec Constitution Act

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Identification of the author

The English Parents' Committee Association (EPCA) is a coalition of Parents' Committees from English-language school boards across Québec, representing nearly 100,000 students in the English language youth sector. EPCA is a non-profit association funded by the Ministère de l'Éducation. EPCA advocates for English public education in Québec and lobbies on issues of concern of our Parents' Committee members. Whenever there is an educational issue, we are the voice of the parents.

Québec's English-speaking minority has a long and deeply rooted history within the province, contributing significantly to the development of Québec's education system and civic institutions.

EPCA welcomes the opportunity to share its perspective on Bill 1, *Québec Constitution Act, 2025*, It does so from its position of long-standing involvement in education, and in respect of the effects of Charter rights and freedoms thereupon.

Executive Summary

Bill 1 proposes a sweeping constitutional overhaul in Quebec. Although presented as an affirmation of Quebec's national identity, this Bill significantly strengthens state power, curtails minority protections, narrows legal recourse, and threatens English-speaking Quebec's institutions and rights. The Bill:

- Was produced through a closed, non-consultative process (contradicting democratic values in Article 17 of the constitution of Quebec and process standards in Article 18 of the constitution of Quebec).
- Embeds a singular national identity (Articles 4, 5, 30 of the constitution of Quebec) and marginalizes minority communities.
- Reduces the scope of judicial review and legal protection (Articles 16 of the constitution of Quebec, Act respecting the constitutional autonomy, s.9).
- Restricts the ability of school boards and public bodies to defend their rights or challenge unjust laws (Act respecting the constitutional autonomy, s.5, 27).

EPCA concludes that Bill 1 is not a constitution for all Quebecers. It is a mechanism for centralizing authority, weakening democratic balance, and narrowing the space in which the English-speaking community can participate fully and fairly in Quebec society.

This is not a constitutional "modernization."

It is a centralization of authority, a diminishment of rights, and a direct threat to minority language education and civic participation.

EPCA therefore recommends that Bill 1 be withdrawn entirely.

1. A Constitution Written *Without* the People

Bill 1 was developed and tabled without broad, genuine consultation, excluding English-speaking and other minority communities throughout. A constitution's legitimacy depends on inclusive process, as underscored by the principles of democracy in Article 17. Instead, the Bill was drafted in closed circles, without meaningful engagement of English-speaking community members and institutions it directly reshapes.

2. Expansion and Centralization of State Power

Bill 1 introduces mechanisms that change the institutional and procedural framework within which minority-language protections operate. By enabling the National Assembly to enact laws designated as protecting Québec's "constitutional autonomy" and by prohibiting designated public bodies from contesting such laws, Bill 1 restricts the ability of any public bodies designated under the Act, including educational bodies if designated, to seek judicial review.

The Government's authority to issue binding directives to public bodies, including those involved in education, further centralizes control over institutional decision-making, namely directives concerning agreements with the federal government, which may relate to programs or partnerships involving educational institutions. English-language educational institutions often participate in federal-provincial programs, and the directive powers introduced in ss.14–18 may of the Act respecting the constitutional autonomy of Quebec have implications for such arrangements.

The Act respecting the Conseil constitutionnel assigns constitutional interpretive functions to a newly created body appointed according to the Act. The Conseil constitutionnel's structure places constitutional interpretation within a body created and appointed under statutory authority. Taken together, these provisions alter the procedural avenues and institutional framework through which constitutional questions may be raised by public bodies.

3. Imposition of a Singular National and Linguistic Identity

Bill 1 introduces several constitutional principles related to language and national identity. It establishes French as the sole official and common language of Québec (Articles 5 and 21) and identifies the Québec nation as the foundational collective identity (Articles 4 and 5). The Bill also recognizes national integration as a constitutional principle distinct from Canadian multiculturalism (Article 30). These provisions define the linguistic and cultural framework within which public institutions, including educational bodies, are expected to operate. For the English-speaking community, this framework may influence how public bodies interpret their responsibilities toward minority-language services, shaping the policy environment in which English-language education, cultural institutions, and community programs function. The constitutional emphasis on a singular linguistic and cultural foundation may also narrow the institutional flexibility available to address the needs of Québec's English-speaking population, increasing reliance on federal protections rather than Québec's own constitutional principles.

4. Supremacy of Collective over Individual Rights

Bill 1 introduces new collective rights of the Québec nation (Articles 7–15 of the proposed constitution of Quebec) and modifies certain provisions of the Québec Charter of Human Rights and Freedoms. Article 16, together with amendments to the Québec Charter of Human Rights and Freedoms, creates a legal presumption that any law enacted to “protect Québec’s character” is constitutionally valid, even when it infringes fundamental freedoms or minority-language guarantees. This reordering of rights narrows the legal protections available to English-speaking parents, students, and institutions by enabling the State to justify rights-infringing measures under the broad and malleable rubric of collective interest. In effect, Bill 1 replaces a rights-based constitutional framework with one that privileges cultural and linguistic conformity, subordinating minority-language education rights to a constitutionally entrenched assimilationist mandate.

5. Limitation of Recourse and Institutional Oversight

Bill 1 modifies several mechanisms related to constitutional and administrative recourse. Under sections 5 of the *Act respecting the constitutional autonomy of Québec*, designated public bodies are prohibited from using public funds to challenge laws. The Bill also introduces amendments to the *Code of Civil Procedure* that adjust the conditions under which stays or injunctions may be granted when such laws are at issue, thereby altering established procedural safeguards for suspending potentially harmful or unconstitutional measures. In addition, section 27 of the Act authorizes government audits to verify compliance and allows directors or members who approve prohibited expenditures to be held personally liable. Together, these provisions change the legal framework through which public bodies may seek or support constitutional review. For the English-speaking community, whose educational institutions often rely on judicial oversight to clarify and protect minority-language rights, these measures may limit the ability of English-language school boards, if designated, to participate in or initiate legal challenges affecting their operations. The combined effect may be a narrower set of institutional avenues for raising constitutional concerns, greater uncertainty regarding when and how recourse is available, and increased dependence on external actors or individuals, rather than public institutions, to advance matters related to minority-language protections.

Conclusion

Bill 1 establishes a new constitutional structure that expands legislative and executive authority while narrowing the mechanisms available for independent oversight. By restricting the ability of public bodies to contest certain laws, and creating a *Conseil constitutionnel* to interpret the Québec Constitution, the Bill reshapes the legal environment in ways that directly affect the protections and institutional frameworks relied upon by the English-speaking community. These changes materially alter how minority-language rights may be asserted, reviewed, or safeguarded within Québec’s constitutional order.

Given these impacts, EPCA calls for the withdrawal of Bill 1.

Key Bill 1 references: Articles 4, 5, 7–16, 21, 30, 35, 48; *Act respecting the constitutional autonomy of Quebec* ss. 5, 9, 14, 16–18, 27; *Act respecting the Conseil constitutionnel* ss. 1–6; *Code of Civil Procedure* amendments.

1. <https://ppl-ai-file-upload.s3.amazonaws.com/web/direct-files/attachments/140204824/4d5013bb-026d-43de-8dd6-33aef6c866d6/25-001a.pdf>