

# Quebec law criminalizing student strike threatens basic rights of all

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Despite widespread criticism of its draconian provisions, Quebec's Liberal government has rammed through, in less than 24 hours, emergency legislation that criminalizes the fourteen-week long Quebec student strike.

In the name of ensuring access to the province's universities and CEGEPs (pre-university and technical colleges), Bill 78 effectively outlaws student picket lines. It will henceforth be illegal for strike supporters to picket or stage any "form of gathering" within 50 meters of the "outer limits" of the "grounds" of any university or CEGEP building.

The legislation threatens individual striking students, their supporters, student leaders, student associations, and trade unions with massive fines if they attempt to prevent, or urge others to attempt to prevent, students from attending classes, entering the post-secondary institution in which they are enrolled, or otherwise accessing its services. Furthermore, Bill 78 stipulates that student associations and the unions representing teachers and other CEGEP and university employees must "employ appropriate means to induce" their members to comply with its provisions in full or be subject to criminal prosecution.

Bill 78 is an attack on far more than just the students who have been opposing the provincial Liberal government's plan to raise university tuition fees by 82 percent over the next seven years—and not just because the new law establishes chilling legal precedents and because the government and elite deem the breaking of the student strike as fundamental to pressing forward with right-wing austerity measures against the working class as a whole.

Bill 78 makes it illegal for anyone to stage or participate in a demonstration of more than 50 people anywhere in Quebec and *over any issue* unless the demonstration's organizers have informed police in writing at least 8 hours in advance of the precise route of the protest and the duration of the demonstration, and agree to abide by changes in the protest route made by the police. It also establishes a legal responsibility for demonstration organizers to ensure that those joining their protest follow the police-approved route.

Over the course of the past three months, police have repeatedly proclaimed demonstrations illegal, arresting

participants en masse and dispersing them with tear gas, baton charges and sound grenades. The police have justified their designation of numerous protests as "illegal assemblies" with claims of "violence"—in reality, police-provoked skirmishes or random acts of vandalism.

Bill 78 establishes sweeping new restrictions on the rights to assembly and free speech, enabling police to suppress protests from the outset: demonstrations will be illegal unless and until they have gone through a lengthy police vetting and protest organizers will be legally compelled to serve as auxiliaries of the police in enforcing the police-prescribed protest route.

Bill 78 contains a series of coercive measures specifically directed against teachers and other university and CEGEP employees and their unions, so as to prevent them from taking any action in support of the striking students. To the consternation of the government and the corporate media, many teachers have supported the student boycott by refusing to give classes in respect to the democratically-determined wishes of the student body, and by joining students in staging mass pickets to prevent the implementation of court injunctions ordering that regular instruction and evaluation be given.

Under threat of severe financial penalties, Bill 78 legally obligates employees of the province's post-secondary educational institutions to "perform all duties attached to their respective functions ... without any stoppage, slowdown, reduction or degradation of their normal activities."

The financial penalties stipulated in Bill 78 are massive. Individuals found guilty of contravening any of its prohibitions are liable to fines of from \$1,000 to \$5,000. In the event of a second offense, the minimum and maximum fines are doubled. In cases where persons are convicted of blocking access to a postsecondary education facility or otherwise disrupting its activities the fines are to be levied on a per day basis.

In the case of a leader, representative, or spokesman for a student association the minimum fine is \$7,000 and the maximum \$35,000 per day.

Student associations and trade unions are liable to fines of between \$25,000 and \$125,000 per day. The government has also given itself the power to order educational institutions to withhold student association dues—which are collected as part of CEGEP and university fees—with one trimester of dues to be

withheld for each day an association is deemed to have defied the law.

Bill 78 also suspends until mid-August the completion of the winter semester at the 14 CEGEPs and 11 universities, where more than 150,000 students remain on strike.

The government has claimed that its aim in imposing this three-month “pause” is to lower tensions. This is a bad joke. Premier Jean Charest and his Liberal government have steadfastly insisted that their tuition fee hike plan is non-negotiable and slandered the students as violent and selfish. Now, in a measure without precedent in Canadian history, they have criminalized the student strike.

The government clearly hopes that support for the strike will erode over the course of the summer, especially when students realize the severity of the criminal sanctions with which they are now threatened. But there is another more important and more sinister reason for “suspending” the winter session. The government and police intend to use the next three months to carefully prepare for an unprecedented police deployment across Quebec, using brute force and mass arrests, should it prove necessary, to break the student strike.

The *Conseil du patronat du Quebec* (the Quebec Employers’ Council) has warmly applauded Bill 78, as have numerous other representatives of Quebec’s corporate elite. The big business press, which for weeks has been braying for an end to student “violence” and “disorder,” has, as would be expected, welcomed the state suppression of the student strike. The editor of *La presse*, Quebec’s most influential daily, titled his first comment on the government’s decision to legislate against the student strike “An intelligent firmness.”

Quebec Bar Association President Louis Masson, on the other hand, has spoken out against the legislation, saying it “undermines citizens’ fundamental constitutional rights, including the rights to free speech, assembly and association.” Given the limits the legislation places on the right to demonstrate and the obligations the law imposes on demonstration organizers and even individual demonstrators to follow the police-prescribed protest routes, “We have,” said Masson, “the right to ask who will still dare to demonstrate.”

Student leaders have condemned the legislation as “*une loi de matraque*” (a truncheon law) and, in response to the dismay and outrage of their members, some have suggested that students could defy Bill 78, notwithstanding its draconian provisions.

“The Quebec government,” declared FECQ (Quebec Federation of College Students) President Leo Bureau-Blouin, “is using a crisis that it has itself provoked to transform every citizens’ social movement into a crime. ... [This law] seeks to silence popular expression. ... It targets not just students, but the entire population.” Martine Desjardins, the president of FEUQ (Quebec Federation of University Students) accused the “government of declaring war on the student movement. This is worse than the hike in tuition fees.”

The big business Parti Quebecois (PQ), Quebec Solidaire, and the trade unions have also vigorously denounced the legislation, which was adopted by a vote of 68 to 48, as the right-wing *Coalition Avenir Quebec* (CAQ—Coalition for Quebec’s Future) led by former PQ Education Minister Francois Legault voted with the government.

Two weeks ago, the leaders of Quebec’s three main labor federations pressured student leaders to accept a sellout agreement with the government that was subsequently rejected overwhelmingly by students. While accusing the Liberals of adopting a police state-type law, the labor federation presidents were quick to add Friday that they will urge their members to comply with it.

In the coming days and weeks the union leaders will point to the authoritarian character of the law and its savage penalties to urge students to abandon their strike in favor of “kicking the Liberals out” at the next election—that is, to support the big business PQ, a party which, when it was last in power, implemented the greatest social spending cuts in Quebec history.

FECQ and FEUQ, which enjoy close ties to both the unions and PQ, have for months been promoting a plan to organize students to canvass votes to oppose the government in ridings the Liberals won only narrowly in the last election. On Thursday, FECQ and FEUQ leaders returned to this theme. “We will make sure to catalyze the strike mobilization into playing a crucial role at the elections to encourage youth participation,” declared FEUQ President Desjardins.

If the ruling elite in Quebec and across Canada are so determined to stamp out the students’ strike, it is because they recognize it to be an implicit challenge to their drive to place the full burden of the capitalist crisis on working people. To carry forward their struggle, students must make that challenge explicit by fighting, in opposition to the pro-capitalist unions, for the industrial and political mobilization of the working class against all job-, wage- and social spending cuts and the dismantling of public services and for workers’ governments in Ottawa and Quebec City.



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