

Pierre Elliot Trudeau Disciple Challenges Quebec's Denial of Access Justice through Language Law in the Court of Appeal



THE INDEPENDENT CANADIAN COMMISSION ON HUMAN & CIVIL RIGHTS

Ottawa, Ontario Feb 6, 2024 ([Issuewire.com](https://www.issuewire.com)) - In a pivotal legal challenge, Raymond Carby-Samuels, a staunch follower of Pierre Elliot Trudeau's vision of a just society, has taken a bold step to challenge the denial of access to justice in Quebec's courtrooms through language laws. The Quebec Court of Appeal is currently scrutinizing a Notice of Motion against the Ville de Gatineau et al., a case that has gained prominence due to its potential implications on the legality of language laws in Quebec and their impact on access to justice.

Carby-Samuels, whose expertise in constitutional law was inspired by Trudeau's advocacy for the Canadian Charter of Rights and Freedoms, asserts that Premier François Legault's government is pursuing an unlawful direction. His Notice to the Quebec Court of Appeal argues that the denial of court interpreter services in the Quebec court system is directly linked to the statutory framework established by Bill-96, designating French as the "common language" of the province. Carby-Samuels contends that this legislation violates the Canadian Charter, denies equal access to justice, and must be invalidated.

The legal challenge stemmed from a Quebec Human Rights Tribunal hearing where Judge Catherine Pilon and a lawyer for DHC Avocats conducted proceedings solely in French, knowing that Carby-Samuels could not comprehend the dialogue. This behaviour not only contradicted Supreme Court decisions affirming the Canadian Charter but also highlighted a blatant oversight in a human rights tribunal.

Carby-Samuels argues that Anglophones in Quebec should be entitled to the same court interpreter services as Francophones outside the province, emphasizing the disparity between Quebec and the rest of Canada. He points out that while the [Government of Ontario](#) provides over 150,000 hours of free court interpreter services, Quebec chooses to overlook Supreme Court decisions and neglects the linguistic rights of its non-Francophone population.

The Independent Canadian Commission on Civil and Human Rights has backed Carby-Samuels's legal challenge, a move unusual in its redirection from the [Supreme Court of Canada](#) to the Quebec Court of Appeal. This distinctive legal effort distinguishes itself by delving into the intricate details of

constitutional law and bypassing the culture of deference that often characterizes legal challenges in Quebec.

Carby-Samuels contends that the language laws in Quebec, rooted in separatist-nationalist doctrine, do not genuinely aim to protect the French language but rather serve as a tool to divide and conquer, perpetuating historical misinformation. Drawing parallels between the values embodied in the Canadian Charter and the oppressive symbols embraced by Quebec nationalists, he asserts that the Neo-Bourbon aristocracy seeks to undermine the principles of liberty and multiculturalism championed by Trudeau.

He argues that the fleur-de-lis, a symbol used by Quebec nationalists, represents a revisionist attempt to reintroduce the values of the Bourbon monarchy. This ideological shift is contrary to the values upheld by Francophones in Canada, who historically identified with the maple leaf as a symbol of freedom, individual rights, and multicultural harmony. Carby-Samuels emphasizes that the current denial of rights for non-Francophones in Quebec is rooted in a misguided attempt to impose outdated authoritarian values.

The legal challenge underscores the influence of the Neo-Bourbons, who are linked to the power of the French Roman Catholic Church, strategically embedded themselves within various levels of government in Quebec. Carby-Samuels contends that this influence extends to the education system, the National Assembly, public and police services, and the court system. The Neo-Bourbons perpetuate a narrative that portrays Canada as the enemy, promoting an authoritarian approach epitomized by Bill-96, which seeks to repress both non-Francophones and Francophones alike.

Carby-Samuels criticizes the current Prime Minister, Justin Trudeau, for not following in his father's footsteps regarding vigilance against Quebec's disregard for constitutional law. He highlights the dysfunctional impact on Canadian society, emphasizing that Quebec benefits from substantial transfer payments while flouting civil rights recognized by Western democracies.

The legal challenge seeks to repeal Bill-96 and related language laws, arguing that these policies must be declared of "no force or effect" under Section 52 of the Canadian Charter of Rights and Freedoms. The Independent Canadian Commission on Civil and Human Rights invites interested parties to join as interveners in the collective effort to reaffirm rights and freedoms in Quebec in a manner consistent with Pierre Elliot Trudeau's vision:

For me this rich, beautiful and energetic country of ours can become the model of a just society in which every citizen will enjoy his fundamental rights, in which two great linguistic communities, and peoples of many cultures will live in harmony. C'est ça le Canada.

As the Court of Appeal reviews this crucial constitutional matter, it remains to be seen whether it will uphold its role in judicial review or align itself with the provincial government's disregard for constitutional law. The denial of access to justice in Quebec, coupled with the Trudeau government's reluctance to intervene, raises concerns about the state of Canadian democracy and the potential for regional alienation.

The Independent Canadian Commission on Civil and Human Rights invites interested parties to contact them through their [HumanRightsCommission.ca](https://www.humanrightscommission.ca) website to get involved in a collective effort to reaffirm rights and freedoms in Quebec. The Commission seeks to promote the French language and culture without subverting the integrity of the progressive values of our Charter.

For further information, media inquiries, or to be part of this transformative endeavour, please contact:

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