

Conviction of Quebec student strike leader sets stage for broader attack on students' rights

By Keith Jones
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Workers and all those concerned with the defence of democratic rights should condemn the contempt-of-court conviction of Quebec student leader Gabriel Nadeau-Dubois

The most prominent public spokesman of CLASSE during this year's six-month province-wide student strike, Nadeau-Dubois, was vilified by the Quebec Liberal government and the corporate media and the object of numerous anonymous threats of violence.

Now he has been targeted by the courts for exemplary punishment on the grounds that he counseled defiance of a court injunction aimed at breaking the student strike.

Coming months after the student strike ended, the conviction of Nadeau-Dubois is meant to intimidate any worker or youth who would defy the ruling class' drive to illegalize workers' struggles and popular dissent.

Moreover, it legally reinforces the spurious, anti-democratic claim that students have no legal "right" to strike and does so with the aim of bolstering the ruling-class campaign for legislation to restrict students' right to mount political protests.

According to Quebec Superior Court Justice Denis Jacques, Nadeau-Dubois promoted "anarchy" and "civil disobedience" when he told an RDI television reporter last May 13, "it is completely legitimate for students to take the necessary steps to ensure their strike votes are respected. And if it takes picket lines, we believe that that is a legitimate measure."

Justice Jacques, himself a failed 2004 federal Liberal election candidate, last week sentenced Nadeau-Dubois to perform 120 hours of community service over the next 6 months.

In April and early May, Quebec's courts issued a spate of injunctions instructing universities and CEGEPs (pre-university and technical collages) to provide classes for a handful of students opposed to the strike, claiming that the democratically-mandated student strike was infringing on students' "right" to attend their classes.

In defence of this reputed right, the provincial Liberal government subsequently adopted Law 12 (Bill 78), legislation that effectively criminalized the student strike and placed draconian restrictions on the right to demonstrate over any issue anywhere in Quebec.

Law 12 was used to intimidate students and their supporters, with the government and police using a three-month summer "cooling-off period" to prepare an unprecedented state mobilization to smash the strike. However, the principal reason the strike petered out in mid-August was that the trade unions, their student association allies (FECQ and FEUQ), and the ostensibly "left" pro-Quebec independence party Quebec Solidaire systematically isolated the students and politically emasculated their strike. As exemplified by the Quebec Federation of Labour's slogan "After the streets, to the ballot box," these forces diverted the students and the wider opposition movement to which the strike had given rise behind a campaign to replace the Liberals with the big business Parti Quebecois (PQ) in the coming provincial election.

CLASSE and Gabriel Nadeau-Dubois adapted to this campaign. They abandoned their call for a wider protest movement no sooner had the unions signaled their virulent opposition and they promoted the notion that the Liberals' defeat at the hands of the PQ would be an advance, even a victory, for students.

Predictably the PQ, which was able to form a minority government following the September 4 election, has now taken up where the Liberals left off in implementing the austerity program of the bourgeoisie. Last month it introduced a budget that was hailed by big business for imposing the largest cut in real program spending in 15 years and last week it ordered the province's universities to make a further \$120 million in cuts in the current fiscal year, which ends next March 31.

The prosecution and conviction of Nadeau-Dubois, which have been widely applauded by the corporate media, underscore that the ruling elite is determined to uphold and expand the arsenal of repressive measures it employed against the student strike.

In convicting Nadeau-Dubois, Justice Denis explicitly upheld the claim made by Justice Emond, in one of the first court injunctions issued against the striking students, that students—unlike workers—have no legally-protected “right” to strike.

This claim has been invoked by Quebec's university reactors to demand that the Quebec government's upcoming Education Summit debate legislation to “regulate” student strikes. The PQ government, for its part, has said it is considering establishing a “framework” for student unionism using the province's anti-worker labor code as its model. The labor code places numerous restrictions on worker job actions, outlaws political and solidarity strikes, and provides for draconian sanctions against unions that fail to uphold contracts or otherwise enforce its provisions.

No doubt anticipating his adjudication of the contempt charges against Nadeau-Dubois would be subject to appeal, Justice Denis provided extensive arguments in justifying both the CLASSE leaders' conviction and the sentence imposed on him.

Citing the 1972 contempt-of-court conviction and jailing of the heads of Quebec's three main union federations for defying a strikebreaking order, Justice Denis argued that even if Nadeau-Dubois was not expressly targeted by the injunction in question he could nonetheless be found guilty of encouraging people to disobey it.

Justice Denis also argued that the courts have given a wide interpretation to what constitutes contempt of court; even if Nadeau-Dubois did not explicitly counsel defiance of any injunction that was the import of his

May 13 remarks. In this regard, Justice Denis repeatedly contrasted Nadeau-Dubois' call for students to mobilize to ensure that their democratically-mandated strike continued with remarks made by the then FECQ President Leo-Bureau Blouin, who was interviewed by RDI at the same time as the CLASSE leader. Bureau-Blouin, who is now a PQ Member of the National Assembly and the government's point man in rallying popular support for its plan to raise university tuition fees next year, repeatedly urged students to “respect” the injunctions.

Nadeau-Dubois' sentence has been suspended pending the hearing of his appeal early in the new year.

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