

# McGill Students to Challenge Quebec Government in Court

By **RACHEL FUREY**

MONTREAL (CUP) — Students at McGill University are planning to sue the Quebec government over a recent decision to charge higher tuition fees for out-of-province students.

Quebec boasts the lowest tuition fees in Canada, but in November, Education Minister Pauline Marois announced that fees for students from outside the province will be raised to the national average.

At McGill University this means full-time undergraduates who come from Quebec will pay the current fee of \$1,668 per year, while fees for the 31 per cent of the student body who come from other provinces will jump to \$2,800.

Don McGowan, the fourth year law student who is

leading the charge against the government, says this is simply unacceptable.

"Incentives to stay in Quebec are good, but it's another thing to take away the welcome mat," said McGowan, a vice president of the university's student council.

It has not been determined whether the suit will be filed by the entire student body or an individual student.

Christianne Miville Deschenes, spokesperson for the minister of education, is aware that the McGill students are planning to sue but she says the government won't comment on the situation until the case is filed.

She defends the government's decision to introduce differential fees. "It's fair that fees for students living in Quebec and paying taxes in Que-

bec should be lower than the fees of other students."

But McGill anthropology professor Bruce Trigger disagrees. He says the government's argument is a weak one because students who come from other provinces also put money into the Quebec economy.

Trigger studied the issue in the early 80s with a group of professors who concluded that even if out-of-province students didn't pay tuition fees they wouldn't be a burden on the Quebec economy because the money they spend on food, clothing and books would exceed the amount of their tuition fees.

"This is a very short sighted argument (on the part of the Quebec government)," said Trigger.

McGowan expects other provinces to follow Quebec's

lead and start charging higher tuition for out-of-province students if the Quebec government's decision isn't challenged.

"I see this as the thin edge of the wedge. If it can fly in Quebec, governments in other provinces will probably try it," he said. "(Charging differential fees) is not in the best interest of Canadian students."

Already British Columbia, Alberta and Saskatchewan limit provincial student loans to those studying outside their home provinces. The Quebec government has also announced its plans to adopt a similar policy.

McGowan said they won't sue the government for a monetary amount, rather they will use the case to try and force the government not to implement the differential fee structure. McGowan says he

has consulted lawyers who believe the students have a strong case against the government.

Joseph Magnet, a constitutional law professor at the University of Ottawa, agrees that out-of-province students have a credible bases for challenging the Quebec government in court.

Magnet says the students could use a section of the constitution that refers to mobility rights and equality rights to attempt to prove they are being discriminated against on the bases of their province of origin.

"(The Quebec government) would have to show that the limits (it has placed on tuition fees) are necessary in a democratic society," said Magnet.

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