Research Report on the Québec Act to Combat Poverty and Social Exclusion, a Case of Democratic Co-construction of Public Policy

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Acknowledgements

Contents

Introduction

Within the progressive writings dealing with Quebec social and public policy initiatives of the last two decades, it is sometimes stated that most of these initiatives are the result of the neoliberal orientations of successive governments. For example, some researchers and social movement leaders will argue that the Lucien Bouchard Parti Québécois (PQ) government, in office from 1996 to 2000, introduced a socioeconomic policy inspired by the zero deficit objective adopted at the March 1996 Summit on the Economic and Social Future of Quebec which generated a series of negative effects in the fields of education, health, social services and social policy. Within that literature trend, some argue all such policies are of a neoliberal nature. For example, Pierre Mouterde (2012:13) writes: "Think simply of the neoliberal economic regulation mode that finally dominated Québec especially from the middle of the nineties with Lucien Bouchard and his zero-deficit policies"[1]. Vincent Greason is even more categorical: "The first decade of the new millennium was also a period when the neoliberal ascendancy asserted itself on all levels of Canadian government" (Greason, 2013). Other authors defend a similar position (Piotte, 2012; Lamarche, 2007).

In contrast, a progressive literature trend, of which we are part, argues that in the last two decades, the Québec government, often pressured by social movements and civil society demands and mobilizations, has introduced alongside initiatives inspired by a neoliberal agenda a number of very progressive and innovative public policy measures. Among these, we find the *AccesLogis* program in the area of social housing (Ducharme & Vaillancourt, 2012); the recognition and support of autonomous community organizations (Jetté, 2008); the institutionalization of the *Carrefours Jeunesse Emploi* (CJE) and other networks of community based organizations whose mission is to help vulnerable people integrate the labor market; the introduction in 1996 of "a proactive law on pay equity" which permitted the government, in 2006, to reach "a comprehensive pay equity agreement with its own employees" (Noël, 2013: 269); a new social family policy whose goal, amongst others, is to develop a universal network of low-cost day care center spaces for pre-school children (Dandurand and Ouellette, 2012; Aubry, 2010b: 38-43; Noël, 2013: 266-268); a local and regional development policy that has led to the creation of a network of one hundred or so local-development centers across the province; the acknowledgement and support of the social economy, the anti-poverty and anti social exclusion policy (Bill 112) adopted in December 2002.

These public policy reforms represent social innovations (Jenson, 2002; Comeau *et al.*, 2001; Bourque, 2008; Klein *et al.,* 2010; Lévesque, 2003; Vaillancourt, 2012b; Dumais, 2012; Noël, 2013: 263-267). They are the product of government intervention, but not only of government intervention. Indeed, they were put in place with the participation and the advocacy practices of civil society actors and organizations well aware of the

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[1] Authors' translation.

reality of the poor and marginalized people. In other words, these reforms were co-constructed and to a large extent-democratically co-constructed with the participation of government and civil society actors.

In this report, we have chosen to consider and analyze Bill 112, the Quebec Act to Combat Poverty and Social Exclusion, as a case of democratic co-construction of public policy. Updating earlier studies and working papers (Aubry, 2010a and 2012), the report is divided into five parts. Part I focuses on our conceptual framework where we compare the concept of advocacy used by Gloria DeSantis (2012) with our concept of participation of civil society in the co-construction of public policy. Part II presents the grass-roots mobilization campaign leading to the emergence of Bill 112 (1995-2002) and highlights the interactions between the grass-roots civil society organizations, the government and political party actors. Part III examines the content of Bill 112 adopted in December 2002 with an emphasis on the elements influenced by the dynamics of co-construction. Part IV is centered on the implementation of the Bill from 2003 to 2013. Part V proposes an interpretation of the content presented in parts II, III and IV through the theoretical lens presented in Part I with a special focus on the conditions which have contributed to reconcile advocacy and democratic co-construction of public policy. We conclude Part V with a quantitative evaluation of the impact of Bill 112 on the reduction of poverty and exclusion since its inception.

Part I Theoretical Framework

The theoretical framework used in this report is the outcome of a "dialogue" between the concept of advocacy used by DeSantis (2010), and the concept of democratic co-construction of public policy, which is central in our recent writings.

Before addressing these two concepts, note that we will not dwell on other aspects of our analytical framework that are part of the theoretical tradition of LAREPPS and on which we have dwelled at length in our previous writings (Vaillancourt and Jetté 1997; Jetté et al. 2000; Vaillancourt and Tremblay 2002; Vaillancourt 2006, 2009, 2012a and 2012b). Within the LAREPPS legacy, we pay attention to the following elements:

- The development of social policy, and more broadly of public policy, implies the interplay between four categories of social actors: the state, the private enterprise sector (or the market), the third sector and the family (or the informal sector).
- We use alternatively the concept of Social and Solidarity Economy (ESS) - defined in an inclusive manner to include non-market components like voluntary and community based organizations - and the concept of third sector organizations (TSOs) - conceptualized along the "European tradition" as opposed to the "US tradition" in order to include cooperatives managing surpluses as well as Non-Profit-Organizations (NPOs) and examine the "moving frontiers" between the welfare state and the TSOs (Evers and Laville 2004; Vaillancourt 2006).
- We are conscious of the polisemy of the concept of civil society. We use it with a meaning slightly broader than the one given to third sector: " … the sphere of ideas, values, institutions, organizations, networks, and individual that are … located between the family, the state, and the market" (Anheier quoted in Vaillancourt 2013, 129-30). It makes room for the old and the new social movements.
- The LAREPPS perspective blends well with that of the "proactive social investment State", particularly with "the social democratic version" of this model conceptualized by Evers and Guillemard in the concluding chapter of their recent work. "Under the more social democratic version - opposed to the liberal or neoliberal version - , the state coordinates and orients investment in human capital, and oversees the equality of distribution." (2013: 375). This "implies a different form of welfare governance. The state is no longer alone in offering a wide range of benefits and services to citizens. More and more parties are involved. The 'pillars' of welfare … namely, the state along with the market place, the various organizations that represent the third sector such as civic associations, NGOs, and voluntary agencies, and finally families and communities - are increasingly interconnected through partnership." (Ibid.: 368).

Let us now examine the concepts of lobbying, advocacy and democratic co-construction.

1.1 Lobbying

Before we consider the interfaces between advocacy and co-construction and in order to identify the specificity of advocacy, we need to examine the concept of lobbying[2] which is sometimes incorrectly used as a synonym of advocacy. At first glance, the concepts of lobbying and advocacy share a common core. They both refer to a process whose aim is to influence decisions made by government officials, be they politicians or bureaucrats. These decisions may concern the adoption of a new bill or regulation or the distribution of grants or fiscal privileges, or any other advantage. The lobbyists and the advocates both intervene to influence decision-making processes on behalf of a group of citizens, an organization, a corporation, a coalition, etc. Both may be paid or not for their services.

But by examining carefully the concept of lobbying, more particularly its historical evolution[3], we find some differences with the concept of advocacy. There is a pejorative connotation attached to the word lobbying, in spite of the legislations adopted in some societies to regulate it. In some circles, lobbying seems to refer more to the efforts made in order to influence decision-makers behind closed doors with the intent to pressure them to advance particular interests of a specific group or organization rather than the general interest. We refer to professional lobbyists (sometimes former politicians or bureaucrats) who use their political experience and networks to put forward the corporate interests like that of the tobacco or the oil and gas industries (Nadeau, 2013).[4]

1.2 Advocacy

With regard to the concept of advocacy we begin with the definition provided in a recent paper by Gloria DeSantis (2010: 25-26): « *Social policy* advocacy consists of those intentional efforts *of NPOs* (non-profit organizations) to change existing or proposed *government* policies on behalf of or with groups of *marginalized people* ». The words in italics suggest that DeSantis is narrowing a broader definition in order to use it in a particular research context. This suggests that the author is examining specific advocacy practices which:

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[2] In Québec, lobbying and lobbyists are governed by the Lobbying Transparency and Ethics Act which « is designed to foster transparency in the lobbying of public office holders and to ensure that lobbying activities are properly conducted». See the web site of the lobbyists Commissioner: www.commissairelobby.qc.ca/. A similar legislation was introduced at the federal level in 1995 (Office of the Commissioner of Lobbying of Canada, 2013).

[3] Originally, the concept referred to individuals or groups who met public officials in the lobby of the Parliament of Westminster in the 1830s with the aim of influencing the coming public deliberations and votes (http://www.toupie.org/Dictionnaire/Lobby.htm. Consulted August 5, 2013.

[4] For example, in a recent article in *Le Devoir*, Jessica Nadeau (2013) informs us that the *Association pétrolière et gazière du Québec (APGQ)* added two new names to its list of lobbyists bringing to nine the total number of its official lobbyists. The two new lobbyists were public relations representatives for the Québec Liberal Party.

- Are developed in the social policy domain;
- Aim to create public policy changes (either by amending a former policy, or by creating a new policy);
- Imply the intervention of NPOs;
- Are done on behalf of or with groups of marginalized people, although in her paper DeSantis shows a clear preference for advocacy practices done with groups of marginalized people.

In narrowing the definition of advocacy in this manner, DeSantis acknowledges that other forms of advocacy could: (i) apply to other domains than social policy; (ii) produce other outcomes than public policy changes; (iii) imply the participation of other stakeholders than NPOs; (iv) be done on behalf or with other people than marginalized people.

1.3 Advocacy and democratic co-construction of public policy

In our recent conceptual work on the theme of « democratic co-construction of public policy » (Vaillancourt, 2009, 2012a, 2012b and 2013), referring to the four parameters used by DeSantis, we have studied socioeconomic initiatives that (i) are in the public policy domain (which is broader than the social policy domain); (ii) aim to create public policy reforms; (iii) imply the participation of NGOs and also of other social actors in the civil society and (iv) are done with the participation of marginalized people and other groups of people.

Therefore, there are common elements between the DeSantis advocacy approach and our own approach. But there are also differences. In our theoretical and empirical research work in the area of social and public policy, we have focussed on the *participation* of the third sector actors —or Social and Solidarity Economy (SSE) actors defined broadly as to include community based organizations— *in the democratic co-construction of public policy*. Let us explain briefly.

- When we focus on *the participation of the third sector organizations (TSOs)*, we assume that they are often excluded or marginalized in public policy development and that their participation can enrich the public policy contents and democratize the decision-making process.
- The concepts of *the third sector or SSE actors* are broader than the concept of NGOs but narrower than that of civil society (Evers, 2013). Adalbert Evers argues that some authors who favour the participation of TSOs in welfare state reforms focus too often on the participation of TSOs in the delivery of goods and services and more rarely on the contribution of TSOs that advocate in favour of citizen's rights. Both categories of TSOs —provider organizations and advocacy organizations— should be permitted to participate in the public policy co-construction process in order to make it richer and more democratic. Moreover, the co-construction process means not only the participation of a diversity of TSOs or civil society stakeholders, but also the participation of political actors. Evers writes: "In sum, one can say that from this perspective, the key to a more

civil society is to be found in a successfully intermediating public sphere, rather than in a separate 'third sector'. Civil society is to be co-founded by political guarantees, discussion and the process of deliberation" (Evers, 2013: 7). In other words, Evers underlines the importance of "revitalizing public debates" and privileging "the open treatment of controversial issues that is essential when it comes to a notion of citizenship that is not reduced to issues of *social* rights and entitlements but is equally sensible for personal and democratic rights" (2013: 10).

- We use the concept of *co-construction of public policy* to raise the issue of the participation of civil society stakeholders in the *design* of public policy. Co-construction calls for a process of co-decision by civil society actors and state and government actors. We also make an important distinction between co-construction and co-production of public policy. In the co-production of public policy, citizen participation is limited to the implementation stage of public policies constructed by state actors alone or in partnership with other non-state actors. But, in the co-construction of public policy, citizen participation contributes directly to its elaboration. It is much more than citizen consultation.

- We refer to *a democratic* co-construction of public policy as opposed to *non-democratic* forms of co-construction. For example, we can encounter a *corporatist co-construction* of public policy when some civil society stakeholders, enjoying usually more economic and political capital, participate in the political decision-making process, while other stakeholders are excluded. A good example is the pre-budget consultation process at the provincial and federal levels in which business and union organizations are systematically consulted while associations representing marginalized groups are often ignored. On the opposite, in a democratic process of public policy co-construction, a broad diversity of stakeholders are invited or invite themselves to participate in the *democratic deliberation* process permitting to develop public policy consensus and decisions that reflect the general interest. In other words, citizen participation alone is insufficient to achieve democratic co-construction of public policy. Indeed we often encounter in our societies very real citizen participation that does not lead to a democratic public deliberation and decision-making process.

- As we have explained elsewhere, we may encounter non-democratic co-construction of public policy even in cases in which marginalized people and NGOs, normally excluded from the political decision-making process, participate. Indeed, we can imagine specific co-construction scenarios in which some particular groups of marginalized people, in alliance with specific NGOs, are capable of doing efficient *lobbying* and *advocacy* toward government and public administration actors, but without participating in a democratic deliberation with other stakeholders directly concerned by the socio-economic problem in question. In other words, it is possible to encounter *lobbying* and *advocacy* practices in which the end result is not a democratic co-construction but a

corporatist co-construction of public policy because of the exclusion of some stakeholders (Vaillancourt, 2012a). Our concern here is not to devaluate the importance of developing efficient lobbying and advocacy practices. It is to reconcile it with the aim of co-constructing democratic public policies. It is to harmonize a *bilateral process* of advocating with the state in favour of some specific marginalized social groups and a *multilateral process* of integrating this initiative within a broader democratic deliberation process including a diversity of other stakeholders.

- In addition, in order to avoid all ambiguity, we must say that while we favour the participation of civil society actors within a democratic co-construction of public policy we also acknowledge that these actors weigh less in the political process than the actors who have been elected through our representative democratic system. In other words, elected political representatives have the last word in the decision-making process.

We may now turn to the long and intense mobilization campaign that led up to the unanimous adoption of Bill 112 by all political parties represented at the Québec National Assembly.

Part II: Emergence of Bill 112 (1995-2002)

The *Quebec Act to Combat Poverty and Social Exclusion*, named Bill 112 before its adoption in December 2002, was born from a grass-roots movement that spread over several years and which brought together community organizations, faith-based organizations, women's groups, disability associations, trade unions and citizens motivated by the desire to lay the foundation of a poverty-free Québec. Resulting from an exceptional participation and a well-structured consultation process, to which people living in poverty have always been associated, this Act made ample room for concerns brought by the Québec community groups for more than a decade. It is a social and political innovation which has known diffusion in many Canadian provinces such as Ontario, Newfoundland and Labrador, New Brunswick, Manitoba, Nova-Scotia (Perception, 2007: 3; Noël, 2007: 17).

Following is a brief chronology of salient facts of this mobilization leading up to the adoption of Bill 112 by the National Assembly of Québec.

In 1995, hundreds of women walked to Québec City in order to defend their claims aiming at fighting poverty and violence against women. Organized by the Québec Women's Federation (*Fédération des femmes du Québec*), this march called *Du pain et des roses* (Bread and Roses March) marks the historic starting point of Bill 112: An Act to Combat Poverty and Social Exclusion. On June 4th 1995, hundreds of women from all regions of Quebec, having walked over 200 km to mark their desire to end poverty, arrived at the Québec National Assembly, greeted by a crowd of thousands of supporters. Their message to the National Assembly was in the form of nine demands ranging from an important increase in the minimum wage, the creation of quality jobs for women through the development of social infrastructures (social economy), the adoption of a Pay Equity Act, an automatic system of alimony perception, a freeze of tuition fees and increased investments in social housing.

Although the immediate response of the Jacques Parizeau PQ government fell short of the objectives of the organizers, a number of demands rapidly received a positive answer. For example, in 1995, the minimum wage was increased by 7,5%, a Bill was adopted on the automatic perception of alimony payments and a committee on the development of the social economy was put in place. In 1996, a Pay Equity Act was adopted. Furthermore, the PQ government continued its policy put in place since its election in 1994 to freeze university tuition fees. It is important to consider that the coming referendum on the independence of Québec (October 30th 1995) created a context favorable to the coming together of the sovereignty movement and progressive social movements which, in the following years, contributed to the emergence of many progressive social policy reforms (Vaillancourt, 2012b). One year later, after the narrow

defeat of the referendum, the Québec government, now led by Lucien Bouchard[5], organized a conference on the social an economic future of Québec (*Conférence sur le devenir social et économique du Québec*).

For the very first time in an event of this importance, social groups and community organizations were invited by the government to actively participate alongside employer and union organizations. At the Summit the women's movement and community organizations advanced the idea of establishing a zero impoverishment policy (*appauvrissement zéro*) in opposition to the zero deficit policy put forth by the government on that occasion. They insisted that the government guarantee that its objective of rapidly eliminating the deficit would not worsen the situation of the poorest tenth of the population.

In the Fall of 1997, while participating in a popular mobilization against the government's proposal of a regressive social welfare reform, the faith-based organization *Carrefour de pastorale en monde ouvrier de Québec* (CAPMO) and a small number of other organizations decided to try an alternative global approach to welfare reform by demanding that the Québec government adopt a law aiming at eliminating poverty. This law was to be elaborated and written by the people and organizations representing the poor and the excluded. In order to elaborate such a law, a people's parliament (*Parlement de la rue[6]*), sat in session for one month in the Esplanade Park facing the parliament building.

The CAPMO proposal consisted in a constructive and ambitious project that solicits popular organizations, many small and outstretched, who had historically mobilized against rising poverty only to obtain modest gains, simply preserve limited benefits or suffer setbacks. At the outset, the project was designed as an "open book", which meant it had to be collectively defined through a broad and inclusive process of public deliberation.

In January 1998, a formal organization is established to promote the project: the *Collectif pour une loi sur l'élimination de la pauvreté* (the Collective for a law on the elimination of poverty). The ten founding organizations of the Collective included CAPMO and other faith-based groups, the Québec Women's Federation, the Québec Coalition of People on Welfare, the *Confédération des syndicats nationaux CSN*, the *Centrale de l'enseignement du Québec* (Québec Teachers Union) and the *Regroupement des ressources alternatives en santé mentale du Québec* (Québec Association for Mental Health Alternative Resources). Subsequently, several other groups joined the Collective, including international development NGOs, student federations, a nurse's federation, regional and local disability associations[7], civil rights organizations, etc. Some groups, for example the *Mouvement d'éducation populaire*

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[5] Lucien Bouchard was Premier of a PQ Government from January 1996 to March 2001.

[6] The *Parlement de la rue* is a popular initiative of direct democracy which mimics the functioning of the National Assembly where citizens are invited to discuss and vote motions which will be addressed to the government and it's prime minister.

[7] These associations were represented by regional coalitions of various popular organizations.

autonome du Québec MEPAQ (Autonomous Popular Education Movement), a popular education organization with chapters across Québec, initially opposed the project. Some militants just did not believe that poverty could be eliminated through the adoption of a law while others had difficulty supporting a bill to combat poverty while the same government was simultaneous weakening social programs and public services through its zero deficit objective (Greason, 2004). Lucie Lamarche draws attention on the fact that there were internal debates and tensions within the Collective and the anti-poverty coalition. According to her, some human rights activists and organizations were bound to a more legal approach based on a « human rights framework » influenced by United Nations Covenants while other anti-poverty activists and organizations were bound to an ethical approach based on values of dignity and social justice (Lamarche, 2007: 146-147). Many chapters however agreed with the principle of Bill 112, and in 2001, the MEPAQ changed position and supported the Bill.

The Collective opted for a strategy based on citizenship and popular education to encourage the direct participation of citizens and to prevent the monopolization of the debate by pressure groups. The goal was to rally as many people as possible around the project and, especially, to allow people living in poverty to participate in its development. From the start, the focus was as much on the process as on the outcome.

Over a period of two years, from the fall of 1998 to the fall of 2000, the Collective animated an operation that took place across the Province of Québec, one of the largest mobilizations in Québec social action history[8]. From the start, the Collective worked on two fronts.

On the one hand, it launched an ambitious project of collective actions and public deliberations. Using an animation kit adapted to the situation at hand, an extensive consultation was undertaken, allowing the gathering of more than 20,000 comments and 5,000 suggestions which were used to produce, with the help of legal experts associated with the Collective, a first version of the Bill which was made public in front of the Montreal Stock Exchange in December 1999. This version of the Bill was then discussed in all regions of Québec and modified through some 200 sessions of the people's parliament. The Bill garnered the support of more than 1,800 community-based organizations. Finally in the spring of 2000, the Collective adopted the final proposal for a law on the elimination of poverty, written in the form of a conventional bill and submitted it to the PQ Government, to representatives of all the political parties and to all members of the National Assembly.

On the other hand and simultaneously, the Collective circulated a petition in favour of the adoption of a law on the elimination of poverty. On November 22, 2000, the petition, which had collected 215,316 signatures, was submitted to the National Assembly by a member of each of the three sitting political parties.

On that same day, the National Assembly voted a resolution asking the government to adopt a comprehensive strategy to fight poverty taking into account certain principles

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[8] This mobilization was self-funded by the participating associations and organizations.

put forward by the Collective[9]. For the next two years, the Collective conducted an intense campaign to advance its proposed legislation.

In March 2001, Premier Lucien Bouchard resigned and was replaced by Bernard Landry who, upon taking office, announced that the fight against poverty would be a priority of his government. He named a minister responsible for the fight against poverty and subsequently made public the government's strategy in a document entitled *Ne laissez personne de côté !* (Nobody Left Behind !). A public consultation process was launched in each of Québec's 17 regions in which more than 1000 organizations were heard.

An interdepartmental committee was created to involve government departments and agencies concerned by the reduction of poverty and a research program was initiated to support the government in its approach.

In June 2002, the Government published the *Stratégie nationale de lutte contre la pauvreté et l'exclusion sociale* (The National Strategy to Combat Poverty and Social Exclusion) and tabled Bill 112 – *Loi visant à lutter contre la pauvreté et l'exclusion sociale* (An Act to Combat Poverty and Social Exclusion). The Bill was to be studied by a Parliamentary Commission to be held from October 1st to November 19th.

Nearly 135 people, groups and organizations from different horizons[10] were heard and 166 written reports were tabled. During this period, the Collective multiplied its actions in order to amend the government's proposal. Its methods of communication with parliamentarians included writing to them as often as necessary, keeping them informed, confronting them when possible, but always in a non-partisan manner. At the end of October 2002, during the meetings of the Parliamentary Commission, the Collective organized a citizen's assembly in front of the National Assembly building. Held during one week, the event allowed the public to further deliberate on the poverty issue.

With some amendments to improve its scope, Bill 112 was finally passed unanimously by the National Assembly on December 13th 2002 and entered into force on March 5th 2003.The Bill was adopted as the PQ government was living its last months in power. On April 14th 2003, the Liberal Party of Québec directed by Jean Charest was elected and remained in power until September 4th 2012, when the PQ, led by Pauline Marois, regained power and formed a minority government[11].

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[9] These principles include direct citizen participation, making the elimination of poverty a priority and improving the income of the poorest fifth of the population must take precedence over improving that of the richest fifth.

[10] Including employer organizations and chambers of industry and commerce.

[11] In fact, the Charest Liberal Government was elected and re-elected three times from 2003 to 2012: the first time as a majority government from 2003 to 2007; the second time as a minority government during a few months from 2007 to 2008; the third time as a majority government from 2008 to 2012.

Part III: Architecture of the Quebec Anti-Poverty Act

Although the proposed Anti-Poverty Act[12] falls short of the objectives of the Collective[13], many of its aspects constitute important steps forward on which the Collective decided it could build. For example, on two important issues, the near exact language found in the popular version of the Bill was integrated in the official one. The first is the statement that the poor and excluded are the first to act to change their situation; the second pertains to the final objective of the law which is to work towards a Québec without poverty. There were a number of other interesting aspects of the Anti-Poverty Act on which the popular movement could build including the reference to the Québec Charter of rights, the importance that the law gives to the participation of the poor and excluded in the global strategy, the creation of a fund dedicated to the financing of local and regional initiatives to combat poverty and social exclusion, the obligation to produce an action plan and an assessment of its results, the creation of an advisory committee on fighting poverty and social exclusion and a research center on poverty and exclusion.

The Quebec Anti-Poverty Act is a framework law which defines a number of general principles and obligations and gives the Québec government the responsibility for its implementation. The Act is composed of a preamble and eight chapters (Government of Québec, 2002). The Preamble and the first two chapters deal with the principles and objectives of the law. The following six chapters (III to VIII) deal with the institutions and the means conceived to implement these principles and objectives.

3.1 The Preamble

The Preamble of the Law establishes its major principles by referring to the Charter of Human Rights and Freedoms. The effects of poverty and social exclusion are herein described as impediments to the protection and respect of human dignity, to the development of Québec society, to its cohesion and equilibrium. After stating that "persons living in poverty and social exclusion are the first to act to improve their situation and that of their families and whereas such improvement is linked to the social, cultural and economic development of the entire community", the Preamble then affirms "the desire of Québec society as a whole to act in a coordinated manner and pursue a course of action designed to combat poverty and social exclusion".

3.2 Purpose and Definition of the Act (Chapter I)

The desire to recognize the role and responsibility of Québec society as a whole, not just government, in finding and implementing solutions to poverty and exclusion is clearly outlined in the definition of the main object of the Act (Chapter I) which is "to guide the

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[12] In the rest of our paper, we refer to the Anti-Poverty Act to mean the Quebec Act to Combat Poverty and Social Exclusion.

[13] For example, the complete elimination of poverty and a substantial increase of the income and the quality of life of the poorest fifth of the population.

Government and Québec society as a whole towards a process of planning and implementing actions to combat poverty, prevent its causes, reduce its effects on individuals and families, counter social exclusion and strive towards a poverty-free Québec" (Art. 1).

Chapter I of the Anti-Poverty Act then defines poverty in a broad and inclusive manner, going far beyond the sole economic situation of an individual. It indeed states that poverty "means the condition of a human being who is deprived of the resources, means, choices and power necessary to acquire and maintain economic self-sufficiency or to facilitate integration and participation in society" (Art. 2).

3.3 National Strategy against Poverty and Social Exclusion (Chapter II)

The Act institutes a National Strategy against Poverty and Social Exclusion (Art. 3) that "is intended to progressively make Québec, by 2013, one of the industrialized nations having the least number of persons living in poverty, according to recognized methods for making international comparisons" (Art. 4).

At the heart of the Act (Art. 5) is the creation of a National Strategy against Poverty and Social Exclusion which "shall consist of a set of actions implemented by the Government, its socio-economic partners, regional and local communities, community organizations and other social stakeholders to counter poverty and facilitate social inclusion. In that respect, the Government shall solicit citizen participation, particularly the participation of persons living in poverty".

The National Strategy goals are the following (Art. 6) :
"1° to promote respect for and protection of the dignity of persons living in poverty and combat prejudices in their regard;
2° to improve the economic and social situation of persons and families living in poverty and social exclusion;
3° to reduce the inequalities that may be detrimental to social cohesion;
4° to encourage persons and families living in poverty to participate in community life and social development;
5° to develop and reinforce the sense of solidarity throughout Québec so that society as a whole may participate in the fight against poverty and social exclusion".

These goals are organized around five main orientations (Art. 7):

1° preventing poverty and social exclusion, with a focus on developing the potential of individuals;
2° strengthening the social and economic safety net;
3° promoting access to employment and increasing the attractiveness of work;
4° promoting the involvement of society as a whole;
5° ensuring consistent and coherent intervention at all levels.

Article 7 also states that in their conception and implementation, these actions must take into account specific needs of certain groups in society having particular difficulties, because of their age, ethnic origin or an impairment or disability.

In order that society as a whole may participate in the fight against poverty and social exclusion as specified in goal number 5 above, the Act specifies that actions "must provide for the inclusion of stakeholders representative of the broader Québec community" (Art. 11).

Furthermore, such actions must:
"(1) favour citizen participation, particularly that of persons living in poverty and social exclusion and the organizations representing them ;
(2) support specific local and regional initiatives for the achievement of the goals set out in the National Strategy;;
(3) recognize the social responsibility of enterprises and include the labour market partners ;
(4) recognize the contribution of volunteer and community action". (Art. 11)

As can be seen, the Preamble and chapters I and II of the Anti-Poverty Act place enormous emphasis on the participation of all social actors and the involvement of people living in poverty to find solutions[14].

3.4 New institutions

The remaining six chapters (III to VIII) concern the implementation of the National Strategy to Combat Poverty and Social Exclusion. As we will see in Part IV the Anti-Poverty Act will oblige the government to prepare and publish a five year action plan (Chapter III), create three new institutions (Chapters V, VI and VII). Chapter VII deals with governmental accountability and Chapter VIII with miscellaneous, transitional and final provisions.

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[14] This participation and this involvement are to be financially supported by the popular organizations and associations through their public and autonomous financing.

Part IV- Implementation of the Anti-Poverty Act (2003-2013)

It is important to note that if Bill 112 was adopted by a PQ led government, the application of the Anti-Poverty Act was accomplished under the responsibility of three Liberal governments led by Jean Charest during nine years (2003 to 2012) and of a new minority PQ government led by Pauline Marois from the fall of 2012 to the spring of 2014. In this Part, we will examine the implementation of the new act. Firstly we will pay attention to the two action plans and the new obligations placed on the Government; secondly we will examine the roles and composition of three new institutions created by the Act.

4.1 Two Government Action Plans

To implement the national strategy to combat poverty and social exclusion, Chapter III of the Act specifies that the Government must, before May the 5th 2003, establish an action plan setting forth a set of measures the Government plans on carrying out to achieve the pursued goals, and make this plan public (Art. 13). Chapter III also introduces measures to ensure that the law is taken into account by all other departments and agencies and that progress be evaluated annually.

A) The First Action Plan

The final version of the first Action Plan covers the years 2004-2005 to 2009-2010 and is entitled Reconcile Freedom and Social Justice : a Challenge for the Future (*Concilier liberté et justice sociale : un défi pour l'avenir),* was finally unveiled on April 2, 2004 (MESS, 2004).

The first action plan is based on two basic principles: employment is the first solution to ensure economic security and social inclusion, and better protection for people with significant employment limitations is required (MESS, 2004: 8). The first action plan contained several measures that aim to support people with disabilities (Aubry, 2010a).

The plan consists in four main objectives with a set of 47 measures representing investments of $2.5 billion over a five year period (MESS, 2004). Most of these measures had been announced in the 2004-2005 Budget Speech, which was unveiled a few weeks before the action plan was released.

The four objectives of the first Action Plan were:

1. Improve the well-being of people living in poverty. The action plan presents solutions for the unemployed and their families, and for the working poor. In addition to these various measures that target specific groups, the action plan presents other measures aiming at improving the access to affordable housing.
2. Prevent poverty and social exclusion by developing each person's potential. This second objective proposes preventive measures and targets different groups in order

to break the intergenerational cycle of poverty and give everyone the opportunity to attain better living conditions.

3. Involve society as a whole. The measures proposed for this third objective aim to support the development of solidarity with the disadvantaged communities and groups, to support local and regional actions and the collective efforts against poverty and social exclusion.

4. Ensure consistent, coherent action. This last goal provides tools to coordinate the efforts of various concerned departments and agencies, to involve citizens in the efforts in progress and to assess the impacts of other laws and regulations on the situation of poor people and families.

Reactions to the first Action Plan were mixed (Noël, 2004)[15]. The Collective reacted in a positive but moderate manner characterizing the Plan as «a commendable effort to comply with the obligations contained in the law but limited by serious omissions that will allow the situation of the poorest people to deteriorate further" (Collectif pour un Québec sans pauvreté, 2004). The Collective also considered that the First Action Plan, by merging orientation # 2 of Bill 112 —«strengthening the social and economic safety net»— and orientation # 3 —« promoting access to employment and increasing the attractiveness of work »—, distorted the objectives of the Anti-Poverty Act and reinforced the vision of the Charest Liberal government according to which employment is the most important strategic element to combat poverty and social exclusion (Collectif pour un Québec sans pauvreté, 2013).

Other reactions went from critical —by those who considered that the Plan was too populist, gave too much importance to the poor to the detriment of the middle class and did not respect the conservative electoral program of the newly elected Liberal government— to very positive by those who considered the plan as progressive and innovative (Noël, 2004; Dufour, 2004).

B) The Second Action Plan

On November 3rd 2008, pressured by the Collective, the Minister responsible for the application of the Anti-Poverty Act announced a one year extension of the first Action Plan in order to put in place a national and regional consultation process on the contents of the second Action Plan. A national consultation forum was held in Québec city in June 2009. Participation was very limited and on invitation only which led many popular organizations to call for a boycott of forum.

The Collective decided however to participate, considering at that moment that the empty chair strategy was not in order. The meeting gave rise to the confrontation of viewpoints. Displeased with the orientation taken by the Charest government, the Collective and many member groups finally left the meeting in protest.

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[15] A preliminary draft of the action plan, leaked to Le Devoir newspaper, was met with anger by the Collective because it focused mainly on workfare inspired measures in order to reduce the number of welfare recipients (*Collectif pour un Québec sans pauvreté*, 2013: 6).

Notwithstanding the Collective's stance at the national forum, public consultation meetings were held in every region in the fall of 2009 in which popular organizations and ordinary citizens expressed their dissatisfaction with the government's orientations (*Collectif pour un Québec sans pauvreté*, 2013).

Launched in June 2010, the second five year action plan entitled Government Action Plan for Solidarity and Social inclusion 2010-2015 : Québec's Combat against Poverty (*Plan d'action gouvernemental pour la solidarité et l'inclusion sociale 2010-2015 : le Québec mobilise contre la pauvreté*) sets out four main objectives:
1. Review our standard practices and make local and regional communities key players in the decision-making process;
2. Acknowledge the value of work and foster the self-sufficiency of individuals;
3. Foster the economic self-sufficiency of underprivileged individuals;
4. Improve the living conditions of low-income individuals and families.

The second Action Plan provided 1.3 billion $ in new investments over five years. The Plan included six components including a Solidarity Tax Credit to compensate for the increase in the Québec sales tax, full cost of living adjustment of social assistance benefits and the creation of Solidarity Alliances in each region in order to coordinate regional action plans.

The new Action Plan was received negatively by the Collective for many reasons, mainly because the plan proposed a piecemeal approach, contained few new measures and did not propose any long term direction.

4.2 Other obligations

In addition to obliging the government to produce an Action Plan within a defined time frame, Chapter III of the Anti-Poverty Act also introduces measures to ensure that the law is taken into account by all other departments and agencies and that progress be evaluated annually. It specifies that the Minister of Employment and Social Solidarity is by virtue of his or her office the advisor of the Government on all issues concerning the fight against poverty and social exclusion, and shall take part in the development of measures that could have a significant impact on persons and families (Art. 19); each department must assess the impacts of all new legislation and rules when they could have direct and significant impacts on the incomes of persons or families (Art. 20); the Minister of Employment and Social Solidarity shall annually present a report on the activities carried out within the scope of the Government action plan (Art. 21).

4.3 Three New Institutions

In addition to the obligation to produce an action plan, the Anti-Poverty Act creates three new institutions to support the concrete application of Act. These are (a) the *Comité consultatif de lutte contre la pauvreté et l'exclusion sociale* (CCLP) (Advisory Committee on the Fight Against Poverty and Social Exclusion) which was activated in March 2006; (b) the *Centre d'étude sur la pauvreté et l'exclusion* (CEPE) (Poverty and Exclusion Research Center) which began its activities in 2005; (c) the *Fonds québécois*

d'initiatives sociales (Quebec Social Initiative Fund) which was established in 2002 and is dedicated to the financing of regional and local initiatives to combat poverty and social exclusion (Art. 46).

A) The CCLP (the Advisory Committee on the Fight against Poverty and Social Exclusion)

In line with article 31 of the Act, the CCLP's main function is to advise the Minister on the planning, implementation and evaluation of actions taken within the scope of the national strategy to combat poverty and social exclusion (Art. 31). The CCPL is composed of 17 people originating from a dozen Québec regions and representing all sectors of society, including persons living in poverty. Fifteen members are appointed, after consultation with the most representative organizations and the various sectors concerned, including five that represent organizations whose mission is to combat poverty and social exclusion of which at least three people are recipients of services from these organizations, and ten which come from management, labor, municipal, community and other sectors of civil society.

B) The CEPE (the Poverty and Social Exclusion Research Center)

The CEPE's "purpose is to gather, integrate, compile, analyze and disseminate information, mainly of a statistical nature, on poverty and social exclusion".[16] It consists in "an observation, research and discussion centre entrusted with providing reliable and rigorous information, notably of a statistical nature, on poverty and social exclusion issues. It is managed in collaboration with a steering committee composed of eleven members working in the academic research or governmental sectors, or working with people who are experiencing poverty or social exclusion."[17] Vivian Labrie, one of the main organizers of the anti-poverty campaign since its beginning, is a member of the steering Committee which is chaired by Alain Noël.

C) The Quebec Social Initiative Fund

The Quebec Social Initiative Fund was created in 2002 in order to support regional and local initiatives to combat poverty and social exclusion. More than 90% of the fund must be locally or regionally invested. The management of the sums making up the fund are entrusted to the Minister of Finance.

In addition to these three institutional initiatives, an interdepartmental committee to combat poverty and social exclusion has also been established in June 2004. Its objective is to coordinate nationally the actions of the departments and agencies involved in the fight against poverty and social exclusion. These are all committed to the process leading to the development of the action plans to combat poverty and social exclusion (MESS, 2005).

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[16] CEPE website http://www.cepe.gouv.qc.ca/presentation/index_en.asp accessed April 15, 2010.
[17] *Ibid.*

Part V- Discussion

In this part we propose a critical analysis of the empirical facts presented in parts II, III and IV, using our conceptual framework introduced in Part I. We will argue that the Quebec Anti-Poverty Act constitutes a remarkable innovation, both in its results in terms of poverty reduction and in terms of the political process that produced it. We are conscious that some authors do not share our viewpoint. Some writings even argue the opposite, suggesting ironically that the *Quebec Anti-Poverty Act* was not a "made in Québec" process and content, because some of its features were influenced by neoliberal patterns imported from other OCDE countries (Lamarche, 2007; Lamarche and Greason, 2008; Greason, 2013). With regard to such reasoning, we insist that it is possible to innovate while at the same time being influenced by some international experiences. With other researchers (Noël, 2003, 2004 and 2007; Dufour, 2004), we consider that the *Quebec Anti-Poverty Act* was innovative principally during the emergence years (1995-2002), and, to a lesser degree, during the implementation years (2003-2013). We will argue that the design of the Quebec Anti-Poverty Act is the direct result of participation in a democratic co-construction process of a diversity of social actors rooted in civil society (participative democracy) and of political actors rooted in the political society (representative democracy). It was not a top-down but a bottom-up dynamic. Of course, in connexion with the co-construction process, some activities of lobbying and advocacy took place.

5.1 A co-construction initiated in the civil society

Bill 112 is an example, rare and perhaps unique in Quebec, of a bottom-up legislative approach. Usually, a new legislative bill is initiated and prepared within the government, and then is presented in the form of proposed legislation. The proposed legislation is then reviewed by a parliamentary commission where the political and civil society organizations can give their point of view. In this type of process, the State is the main designer of public policy, although civil society actors are consulted during the process.

But the genesis of Bill 112, which was summed up in Part II demonstrates the possibility of an alternative model to elaborate a public policy bill. In this case, the project was initiated in the civil society. At the very beginning, the public deliberation to construct and introduce an anti-poverty bill existed only within civil society. At the end of the emergence period, from the fall of 2000 to the fall of 2002, public deliberation concerned not only civil society actors, but also political actors and bureaucrats.

5.2 A rich laboratory of advocacy practices

During the first years of the emergence process, civil society actors attempted to construct a bill on their own. At the outset, the objective was to eliminate poverty and exclusion completely, rather than to combat them. From 1995 to 2000, little energy was

spent to initiate a dialogue with government and political party representatives. It was more an advocacy process to educate and mobilize Quebec civil society than a traditional lobbying process to convince the decision makers within the government, the National Assembly and the public administration. The idea was to create a popular movement within civil society, a movement which would be capable one day of pressuring political decision makers. In that context, a vast array of advocacy practices were imagined and applied : the Bread and Roses March of June 1995; the introduction of the concept of "zero impoverishment" to counter the concept of zero deficit put forth at the Economic and Employment Conference of October 1996; the creation of a people's parliament; the launching of a « citizenship and popular education » campaign; the writing of a draft of a bill on the elimination of poverty submitted to discussion in all regions of Québec; etc. All these practices were part of an innovative advocacy movement.

5.3 Lobbying came later

If the distinction between lobbying and advocacy activities lies on the fact that lobbying aims to influence directly the decision-makers while advocating aims to influence the environment of the decision-making process (influencing the media, public opinion, etc.), it is obvious that lobbying became important only during the last two years of the emergence period (cf. Part II). For example, the presentation in the National Assembly on November 22, 2000, of a petition with 215,316 signatures in favour of the adoption of a law on the elimination of poverty constitutes a bench mark. From that moment on, advocating and lobbying were used together by the anti-poverty coalition and activists (Dufour, 2004). But before that turning point of 2000, the anti-poverty coalition was spending much more energy developing advocacy initiatives within civil society than lobbying political leaders.

5.4 In harmony with the Independent Living Movement paradigm

In parts II, III and IV, we have seen that one basic principle characterizing the emergence, the design and the implementation of the Anti-Poverty Act is that the "persons living in poverty and social exclusion [and their associations] are the first to act to improve their situation". This principle was fundamental for the activists who fought for the Anti-Poverty Act during the emergence period and was placed at the heart of the proposed Act. Indeed, the national strategy against poverty and social exclusion places much emphasis on the participation of all social actors and especially the involvement of people living in poverty. The need for citizen participation is affirmed in several sections of the Bill: in the Preamble, in Chapter II on the National Strategy, as well as in Chapters IV and V which provide for the establishment of institutions and practices to develop and disseminate knowledge and at the same time facilitate collective action and cooperation.

However the importance of citizen participation was less present in the first 10 years of the implementation of the Act, because of the lack of political will of the three Charest

governments from 2003 to 2012, and of the political timidity of the new minority Marois government during its first year (2012-2013).

But if we look at the available literature on the Anti-Poverty Act, surprisingly, some writers do not seem to be convinced of the importance of the participation of the poor and their associations as a central part of a law aimed to combat poverty. For Greason, the responsibility of social actors, beginning with the poor and excluded themselves, to participate in the fight against poverty is seen as a neoliberal government plot whose aim is the "de-responsabilization of government as the principal agent for fighting poverty" (2013 :4) This way of diminishing and ridiculing the principle of participation of the poor and the anti-poverty network in constructing new policy is not at all convincing. It ignores key philosophical advances of the last 30 years in the anti-poverty and disability movements. To make our viewpoint more explicit, let us highlight briefly some of those advances made by the disability movement, taking in account that it is highly connected to the anti-poverty movement.

Indeed, citizen participation in resolving poverty and social exclusion problems through the co-construction of social policy reforms is very much a historical demand of the disability movement and associations at the international, Canadian and Quebec levels, during the last three decades. In English Canada and in Quebec, as much as in many European countries, this philosophical and political vision embraced by the Independent Living Movement (ILM) was promoted by various disability third sector organizations (TSOs) in the late 1970s and the following decades (Prince, 2009: 116, 120-122).

On the Quebec scene, the ILM theoretical orientation was present in a seminal paper, *On Equal Terms* published in 1983 by the *Office des personnes handicapées du Québec* (OPHQ) and co-produced by the disability movement and the Quebec Government (Boucher, Fougeyrollas and Gaucher, 2003 :152-153). This innovative vision has been reaffirmed many times in the last three decades and is at the heart of the new *À Part Entière* policy adopted in 2009 by the Quebec Government (OPHQ, 2009). For the disability movement and the TSOs involved, the ILM paradigm has two concrete implications. First, the TSOs in the disability area must be "organizations controlled and run by people with disabilities" (Boucher, Fougeyrollas and Gaucher, 2003: 138-139), and this is true for TSOs doing advocacy as much as for those delivering alternative services. Secondly, people with disabilities and their network of TSOs are not only users or consumers but co-designers of social policy reforms.

On the broader Canadian scene, we observe that the ILM paradigm was making a breakthrough in the disability movement almost at the same time (since the late 1970s) and in a similar manner. This new paradigm is well presented in a Roeher Institute (1993) paper called *Social Well-Being. A Paradigm for Reform*. Let us quote that paper :

"Welfare state arrangements have also been criticized because they have undermined other aspects of people's well-being: their self-determination and participation in decisions affecting their lives." (...)

"In the current context, however, people and groups are demanding participation in more decision-making processes. They want to be involved in decision making in welfare state policies and programs, in labour market and other economic institutions, in environmental policy and management, in urban development, and in policies and programs for the delivery of training and education." (Roeher Institute, 1993: 18-19).

This reference to the new Independent Living Movement paradigm present in the international, Canadian and Québécois disability movements may seem like a digression, with regard to our argument in favor of the participation of the poor and their TSOs in a democratic co-construction process of public policy. However this is not so since an important proportion of disabled persons are poor and socially excluded which explains why the disability movement and a great number of the TSOs are part of the anti-poverty coalition and network in Quebec. In that context, it is easy to see the compatibility between the self-determination principle of the disability movement and the desire to place the participation of the poor at the heart of the anti-poverty movement and of the Anti-Poverty Act.

5.5 Participation of a diversity of stakeholders from the civil society

Within our framework of democratic co-construction (cf. Part I), the participation of marginalized people is a condition, but not a sufficient condition, to develop democratic social policy reforms and avoid corporatist co-construction. Indeed, other stakeholders of the civil society also need to participate in order to create a solidarity perspective within the co-construction process. The Anti-Poverty Act, in its preamble for example, focuses on the participation of the poor as well as that of other stakeholders. For us, this double participation is important to attain democratic co-construction. If those who are living in poverty and their associations do not participate in designing the anti-poverty strategy, something essential is missing for "reducing poverty and enabling citizenship". But if a diversity of other stakeholders is not participating in the construction of "action plans" for example, the co-construction process becomes narrower and less democratic.

In the case of the preparation and implementation of the Anti-Poverty Act, it is obvious that the participation of many social movements (labor, feminist, disability, senior, community, social and solidarity economy movements etc.) and other stakeholders (Church based social justice associations, alternative medias, family organizations, civil rights organizations, student federations, etc.) was a decisive factor in broadening the coalition and making it more democratic and politically influential. In other words, the co-construction process was more than a short list of "interest groups" working in a corporatist way to obtain a new legislation.

5.6 Participation of a diversity of political actors

As we have stated earlier, authentic democratic co-construction of public policy implies not only the participation of civil society, but also of the political society — the executive and legislative branches and the bureaucracy — to deliberate, co-design and co-decide together. So far, we have seen that, unlike the traditional approach encountered in many social policy reforms, Bill 112 was the direct product of a citizen initiative, popular mobilization and public deliberation. We have seen that it is within civil society that the idea of a law whose objective was a poverty-free Quebec originated and the first project of such a bill was written in the fall of 1999 by the anti-poverty coalition and their allies in the civil society. For a few years, from 1995 to 2000, the anti-poverty organizations and their allies in the civil society were almost alone in the construction of a bill to eliminate poverty. During that period, they were not lobbying formally to obtain the participation of the political actors in the Quebec National Assembly and Government. The anti-poverty coalition was busy developing advocacy campaigns to obtain understanding and support from the public in general, knowing that these initiatives would eventually facilitate their efforts to gain the support of politicians and bureaucrats.

As is evidenced in Part II, during the last two years of the emergence period, from the fall of 2000 to the end of 2002, the co-construction process became broader and stronger. It encompassed not only a diversity of civil society actors, but also a diversity of political actors and bureaucrats. Thus the nature of the public deliberation was changing. More interaction took place between the civil society actors and political actors. From that moment on, the citizen participation which had been increasing for five or six years among the anti-poverty network and its allies created a political demand for obtaining a new anti-poverty policy. Some intensive interactions developed between the anti-poverty coalition leaders, the government and political party leaders.

As of the end of 1999, when the Collective and the anti-poverty coalition released its own version of a bill to eliminate poverty, a double dynamic ensued. On the one hand, the coalition continued its work within civil society by making sure that the bill was largely known and discussed in all regions of Quebec, through two-hundred or so sessions of the "people's parliament", among other activities. On the other hand, the coalition multiplied its interactions with various political actors it sought to convince of the relevance of the project. This is why, on November 22nd 2000, the Collective found itself in a comfortable position to ensure that its petition, signed by more than 215,000 people, was submitted to the National Assembly by members of all three sitting political parties. The same day, as a result of co-construction efforts of the previous months, the Legislative Assembly adopted a resolution mandating the government to present a comprehensive strategy to fight poverty. From that moment on, the government and all the political parties sitting in the National Assembly talked of combating poverty, while the coalition continued to talk about eliminating poverty. These internal and external

efforts made by the Coalition continued throughout 2001 and 2002. They intensified with the arrival of the Landry government in March 2001 and reached their peak from June to November 2002, when the government was internally working on its own project of a strategy to fight poverty. In June, Bill 112 titled An Act to Combat Poverty and Social Exclusion was tabled and a parliamentary commission was announced to discuss the Bill. During this time, the Coalition continued its work to consolidate its support in civil society and obtain amendments to Bill 112. We consider all of the above as genuine co-construction of public policy.

Therefore, the investment of the legislative and the executive arenas by the Collective for the Elimination of Poverty and its allies became very important at the end of the emergence period. The lobbying and advocacy practices developed in 2001 and 2002 were concerned not only with the rules of participative and direct democracy, but also with the rules of representative democracy. The civil society and political society actors were deliberating and working together to obtain an anti-poverty project. The leadership of the anti-poverty movement was capable of working not only with the political party leading the government —the PQ—, but also with the political parties in the opposition —the PLQ (the Liberal Party of Québec), the ADQ (Democratic Alliance of Québec), and other small left wing political organizations. The development of demands by the poor and excluded and the implementation of these demands as articles of the Bill were instrumental in preparing the unanimous adoption of Bill 112 on December 13, 2002, on the one hand, and in the survival of the Anti-Poverty Act after the defeat of the PQ government in April 2003, on the other hand.

5.7 The architecture of the Anti-Poverty Act favors co-construction

Some might argue that an Anti-Poverty Act is not very important because any government could refuse to cope seriously with its objectives if they are not in harmony with its own orientations. This consideration is justified in some respects, but not totally. Of course, when a new political party is elected and has to cope with specific policies or pieces of legislation that contradict its own convictions, it may be tempted to ignore, modify or repeal them. However we must recognize that a new government would find this easier to do if it is dealing with a policy which had not been democratically co-constructed. It is interesting to compare the room for maneuver of the Stephen Harper and Jean Charest governments when they first came to power in 2006 and in 2003 respectively. In both cases partisan priorities expressed during the election campaigns indicated that the two governments would act rapidly to modify or repeal policies adopted by their predecessors. However, after eight years of the Harper government and nine years of the Charest government, it is clear that the Charest government had the most difficulty to break with the past legacy.

Indeed, in 2006, the new Harper government decided not to apply some public policies initiated by the former Liberal government of Paul Martin. For example, Harper decided not to implement important parts of the social economy policy launched by Martin in 2004 and 2005. According to us, it was relatively easy for Harper to do this

precisely because the Martin policy had not been well co-constructed not only within the federal Parliament, but also within the Liberal Party (Vaillancourt, 2012a). The support for this specific policy was too weak within civil society, within the opposition parties and even within the Chrétien brand of the Liberal Party.

But this way of doing things was less possible for the newly elected Charest government in 2003. Contrary to many expectations, the Charest government was incapable of seriously weakening many innovative public policy reforms —including the Anti-Poverty Act— which had been co-constructed under the former PQ governments from 1994 to 2003. To explain this situation, we share some hypotheses put forth by Alain Noël (2007 and 2013). To analyse with rigor and nuance the political practices of the Charest governments from 2003 to 2012, it is important to take into account not only the "partisan dimension", but also the "cross-partisan dimension" that influenced both the PQ and the Liberal governments during the last 20 years. The resilience of the Anti-Poverty Act during the Charest Liberal years —and of other socioeconomic policy reforms initiated by the PQ governments— was made possible because of this "cross-partisan dimension" (Noël, 2007) which is also called "coalition politics" or "coalition engineering" by Noël (2013: 262-266), and democratic co-construction by us. In other words, "partisan politics certainly played a role" (2013: 263) both in the PQ and Liberal governments' decisions, but it was not the principal factor. The participation of civil society and social movement actors in the design and implementation of some public policy reforms, such as the Anti-Poverty Act, explain why these reforms have a social-democratic character, in spite of the scarcity of Quebec social-democratic Premiers.

In the end, the three successive Charest governments were not able to ignore the obligations of the Anti-Poverty Act. This does not mean that the leadership of these governments was in a hurry to pay attention to them. On the contrary, the political will to develop the first action plan in 2004 and the second in 2008 was feeble or absent as we have seen in Part IV. Fortunately, the co-constructed architecture of the Act offered levers to civil society and opposition parties to defend the democratic principles and mechanisms of the Act. As we have seen in Part III, the Anti-Poverty Act contains various mechanisms permitting to ensure the effective enforcement and coordination of government actions: the government must present at a specific date its Action Plan; each Minister with a legislative or regulatory proposal must analyze the anticipated impacts on those living in poverty; the government must annually publish a report on the activities carried out within the framework of the action plan; the CEPE (Poverty and Social Exclusion Research Center) must publish each year a progress report on the evolution of poverty. In addition, the participation of anti-poverty network activists and allies in the new institutions like the Advisory committee (to combat poverty and social exclusion) and the CEPE has contributed, in a difficult political context, to breathe life into the provisions of the Law, even if it was not done with the intensity wished by those truly interested in the fight against poverty and social exclusion.

Let us now examine briefly the results of the implementation of the Anti-Poverty Act and strategy.

5.8 The results of the anti-poverty strategy

This Report would be incomplete without a word on the relative success of Québec's anti-poverty strategy which aimed to make Québec by 2013 one of the industrialized nations having the least number of persons living in poverty. For a more detailed analysis we refer the reader to Appendix 1, Aubry (2012) and CEPE (2012).

Any attempt to assess the current success of the Anti-Poverty Act, is a perilous exercise. First, poverty and social exclusion are multidimensional phenomena that cannot be grasped only by using financial indicators such poverty rates or GINI coefficients. Secondly, reaching the 2013 goal depends not only on the development of the situation in Québec but also that in other industrialized societies. Thirdly, we need to be careful about the contribution of government policies in the fight against poverty and social exclusion since the evolution of poverty is also dependent on economic cycles on which national governments have less and less influence.

Poverty Rate
This being said, the global poverty rate in Québec, using the Market Basket Measure, went from 11.6% in 2000 to 7.9% in 2007, the year preceding the financial crisis, which represents a 32% decrease. Because of the "Great Recession" the poverty rate increased from 2007 to 2010. From 2000 to 2010 the poverty rate decreased by 19%. This general downward trend however hides important variations from one group of the population to another:

- The poverty rate for women declined four times more (-29.1%) than the one for men (-7.6%);
- Among all households, the incidence of poverty declined the most in families of two adults with children (-45.1%);
- The poverty rate of children followed the same decline during the period (-45.3%);
- In single-parent families, the poverty rates declined by appreciable amounts, especially in those families headed by a woman (-38.1%). However the incidence of poverty remains very high for these families;
- For the elderly, the poverty rate changed little until the downturn of 2008, remaining at a relatively low level;
- The only other type of household that did not progress on the poverty front during the period are single person households since they continually suffer from a very high poverty rate of 25.4%.

Comparisons with other Canadian provinces and with other developed countries indicate that Québec has done relatively well on the poverty reduction front since the adoption of the Anti-Poverty Act (CEPE, 2012).

Income inequality

There exists a link between the incidence of poverty and inequality in income distribution. Income inequality in the industrial world, as measured by GINI coefficients[18], rose during the last quarter century. According to available data (CEPE, 2012) income distribution seems more egalitarian in Québec than in Canada as a whole. Internationally, Canada and Québec fare worse than many countries that have a comparable level of economic development. According to the CEPE (2012) "Compared with certain European countries, Québec ranks in the middle; its GINI coefficient appears to be lower than that of Canada, the United Kingdom and a subset of 15 OECD countries, but higher than that of certain countries in continental Europe (Belgium, Netherlands, Germany, Austria) and of all the Scandinavian countries".

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[18] GINI coefficients are calculated on a scale of 0 to 1. A coefficient of 0 indicates that revenues are evenly distributed in society; that is to say, they are identical for all members of society (absolute equality). An index of 1 demonstrates that all society incomes are monopolized by one person (absolute inequality). So, the closer the index is to 0, the more even the income distribution is; the closer it is to 1, the more uneven the income distribution is.

Conclusion

In this report, we have presented the case study of the Quebec Anti-Poverty Act, focusing mainly on the review of the democratic process that led to its adoption but also on an analysis of the results obtained in the fight against poverty.

As to the success of the Anti poverty strategy, the picture is very diverse (Appendix 1). While the overall trend is a gradual decrease in the poverty rate throughout the period, and although very significant gains were made in some important segments of the population (such as families with children), problems persist in other groups, particularly among single people where no progress whatsoever was made and single parent families headed by women and people with disabilities who, notwithstanding important gains during the period still have very high rates of poverty. In the Canadian rankings, Québec has made significant progress, both in terms of the overall poverty rate and the incidence of severe poverty (Aubry, 2012).

As to the democratic process, we have distinguished two phases in the history of the legislation which spans nearly 30 years, that of its genesis (1995-2002) and that of its implementation (2003-13). We examined the role of TSOs - especially those involved in improving the situation of the poor and excluded people - from two perspectives: first, did these TSOs deploy advocacy practices and, second, did they participate in the democratic co-construction of the anti-poverty policy. In our framework, the deployment of advocacy practices by TSOs must be combined with their participation in the co-construction of democratic policies in order to produce sound social policy reforms. "Put simply, there is hardly any chance of good social policy in a 'spoiled democracy'" (Evers and Guillemard, 2013: 381).

In order that the advocacy practices of TSOs, as numerous and original as they are, be consistent with the perspective of democratic co-construction, the requirements of participatory democracy accompany those of representative democracy. This implies that a diversity of actors of civil society, including TSOs working with persons who live in poverty, debate with a diversity of political actors in order to define policy content. Co-construction does not exist if the policy is developed by civil society alone or by the political society alone. Co-construction may exist, but it cannot be described as democratic if it only concerns certain actors of the political society (for example those of the executive branch but not those of the legislative branch) and certain actors of civil society (for example certain dominant players but without the poor and excluded and their network of TSOs). In sum, the participation of TSOs in the democratic co-construction of policies is an exacting process, rarely encountered in public policy reforms.

In fact, the philosophical foundations of the Quebec Anti-Poverty Act presented in Section II are in harmony with the features of a democratic co-construction process of

public policies presented in Section I. These foundations can be summarized as follows: the fight against poverty and exclusion:

- Is not the responsibility of governments only;
- Is primarily the responsibility of the poor and the excluded;
- Is also the responsibility of the partners of the labor market;
- Is also the responsibility of Quebec society as a whole.

This emphasis on the identification of civil society actors aims to make it clear that the fight against poverty is not only the responsibility of governments and the state as proposed in certain state focussed visions which can come from the left or the right of the political spectrum. That being said, it remains that the participation of a diversity of actors of the political society remains essential in a democratic co-construction process. In other words, in the political sphere, democratic co-construction involves not only the participation of elected officials in the executive branch of government, but also of members of various political parties who sit in legislative bodies and committees, as was the case throughout 2002 during deliberations preceding the adoption of the Law. To summarize, democratic co-construction means that, in certain decisive moments, there must be a dialogue between the debate in the civil society and the one in the political society, a dialogue which is not without compromise such as that which emerged in 2002 when the anti-poverty coalition accepted a law that aims to combat rather eliminate poverty and exclusion.

Our report demonstrates that in the history of the Quebec Anti-Poverty Act, the TSOs of the anti-poverty coalition, those who defend human rights as well as those who deliver alternative services, participated in a plethora of original advocacy practices as well as democratic co-construction activities.

The frequency and intensity of these practices have fluctuated over the years:

- Advocacy practices were constant throughout the emergence stage (1995-2002), but were less frequent and intense during the implementation stage. They reappeared at the time of the preparation of the two action plans in 2003-04 and 2008-10;
- The democratic co-construction process peaked at the end of the emergence period, from November 2000 to December 2002, and appeared more timidly during the preparation of the action plans;
- The advocacy practices helped to prepare the phases of democratic co-construction. Thus, from 1995 to 2001, the TSOs of the anti-poverty coalition devoted their energies to raise awareness and mobilize civil society and to prepare their own bill to eliminate poverty, giving the impression that they did not care to make a junction with the actors of the political society;
- In fact, these advocacy practices were a challenge to the political society, thus the turning point at the end of 2000. The institutions and actors of the political society then began to respond to the demands resulting from the mobilization of the civil society. For a time, in 2001, it seemed that two approaches to develop a

draft of an anti-poverty law coexisted in the manner of two solitudes, one in the civil society, the other in the political society;

- And then, at the end of 2001, a public debate was initiated and bridges appeared between the social mobilization and the political mobilization. Here began the process that we have labelled democratic co-construction.

In conclusion, can the concept of democratic co-construction of public policies used in certain circles of social action and research be considered as a "shifting discourse"? We believe so but at the same time we recognize that this approach is currently being debated within social movements and components of the research community.

Appendix 1: Mixed Results on the Poverty Front

Any attempt to assess the current success of the Anti-Poverty Act, which aims to make Québec, by 2013, one of the industrialized nations having the least number of persons living in poverty, is a perilous exercise because it faces several constraints.

First, as suggested by the definition of poverty adopted by the legislator, poverty and social exclusion are "complex and multidimensional realities" (Noël, 2012) that cannot be grasped only by using some indicators of a financial nature such the poverty rate or the Gini coefficient.

Secondly, reaching the 2013 goal depends not only on the development of the situation in Québec but also that in other industrialized societies. As emphasized by Noël (2012) "the 2013 objective is therefore a moving target that requires us to give a good hard look at others as well as at ourselves". However, national and international comparative data are only available after a delay of several years. Data for 2013 will only be available in 2015 or 2016, at which time we will be able to achieve a more definitive assessment.

Thirdly, we need to be careful about the contribution of government policies in the fight against poverty and social exclusion. Indeed, the evolution of poverty in any society depends not only on public policies in the economic and social spheres; it is also dependent on economic cycles of expansion, slowdown and recession on which the public authorities of a single state have less and less influence, particularly since the acceleration of globalization and the internationalization of financial transactions. Thus, the significant decrease in the unemployment rate in Québec since the early 2000s has obviously contributed to the reduction of poverty, while the financial crisis of 2008 and the recession it spawned have contributed to its increase.

That said, even if we are unable to determine conclusively the success or failure of Québec's strategy to fight against poverty, we have enough information to consider at least whether Québec has been moving in the right direction since the adoption of the Anti-poverty Act with respect to its explicit objectives.

In this section we will study the data on the evolution of poverty in Québec, in other Canadian provinces and in major industrialized countries. Then, we will examine some general data on the evolution of inequality in income distribution in Québec, in other provinces and in major industrialized countries. All the data presented here are taken from the most recent progress report on the evolution of poverty produced by the CEPE (2012).

A) The Evolution of Poverty

Several statistical series exist on the evolution of poverty in Québec and Canada. The three most used are the Low Income Cut-Offs (LICO) before and after tax and the Low Income Measure (LIM) from Statistics Canada[19] and the Market Basket Measure (MBM) developed by Human Resources and Skills Development Canada in the late 1990s and published annually by Statistics Canada since 2000. For reasons developed elsewhere (Aubry, 2012), we will use the MBM for interprovincial comparisons and the LIM for international comparisons.

Poverty Rate in Québec
We will first present the evolution of the poverty rate in Québec according to the MBM for individuals depending on different types of households for the years 2000, 2007[20] and 2010, last year for which data exist. Then we will present the evolution of this indicator for all Canadian provinces for the same period. Finally, we will use the after-tax Low Income Measure in order to compare how the situation has changed in Canada and Québec in comparison with other industrialized countries.

Table 1 shows the evolution of the poverty rate in Québec for the years 2000, 2007 and 2010 using the method of the Market Basket Measure for all individuals.

Table 1. Low-Income Rates, MBM, Characteristics of Individuals of All Ages, Québec, 2000-2010

	2000	2007	2010	% change 2000-2010
All individuals	11.6	7.9	9.4	**-19.0%**
Men	10.5	7.8	9.7	**-7.6%**
Women	12.7	8.0	9.0	**-29.1%**
Types of households				
Single persons	25.4	22.8	25.4	**0.0%**
Economic families of 2 members or more	9.1	4.9	6.1	**-33.3%**
Couples with children	7.1	2.6	3.9	**-45.1%**
Single-parent headed by man	20.6	11.7	17.5	**-15.0%**
Single-parent headed by woman	39.4	18.3	24.4	**-38.1%**
Children (0-17 years)	13.7	5.6	7.5	**-45.3%**
Adults (18 years and older)	11.0	8.7	9.6	**-12.7%**
18-64 years	12.7	10.1	11.3	**-11.0%**
65 years and over	1.8*	2.0*	4.9*	**+72.2%**

* Use with caution.

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[19] Statistics Canada has consistently refused to consider low-income indicators as poverty thresholds, but many agencies have always used them for this purpose, in the absence of official relative poverty thresholds.

[20] The year preceding the financial meltdown and the resulting recession.

From this table, we can observe that the general trend is a gradual decrease in the poverty rate throughout the period until the severe financial crisis beginning in 2008 reversed this trend forcefully.

Notwithstanding the general downward trend from 2000 to 2010, the progress made varies greatly from one group of the population to another:
- The poverty rate for women has experienced a decline (-29.1%) four times more important than the one for men (-7.6%) during this period;
- Among all households, the incidence of poverty declined the most (-45.1%) in families of two adults with children;
- The poverty rate of children followed the same decline during the period (-45.3%);
- In single-parent families, the poverty rates declined by appreciable amounts, especially in those families headed by a woman, from 39.4% in 2000 to 24.4% in 2010, a decrease of 38.1%. However the incidence of poverty remains very high for these families;
- For the elderly, the poverty rate changed little until the downturn of 2008, remaining at a relatively low level. These data, however, hide significant differences between men and women aged 65 and over.
- The only other type of household that did not progress on the poverty front during the period are single person households since they continually suffer from a very high poverty rate of 25.4%. Although Table 1 does not distinguish individuals with employment from those who are unemployed, it is the latter whose poverty rate increased during this period (CEPE, 2012).

The trends noted above[21] reflect the objectives of the first Government action plan, which were primarily to improve the lot of families, especially those with children and low-income individuals with jobs.

Québec in Canada
In this section, we compare the evolution of the poverty rate of Québec with that of other provinces and that of Canada from 2000 to 2010. Table 2 presents the evolution of the low-income rate according to the MBM for each province and for all Canada. It also presents the percentage variation from 2000 to 2010.

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[21] Unfortunately, comparable data for more disadvantaged groups such as people with disabilities do not exist. The only data available come from Statistics Canada's Participation and Activity Limitation Surveys for the years 2001 and 2006. These surveys show that the poverty rate for people with disabilities diminished by 30% from 2001 to 2006. The decrease was much more important for people with disabilities aged 65 years and over (Aubry, 2012).

Table 2. Low-Income Rates, MBM, all Individuals of all Ages, Provinces and Canada, 2000-2010

	2000	2007	2010	% change 2000-2010
Provinces			%	
Newfoundland and Labrador	20.5	11.3	11.6	-43.4
Prince Edward Island	14.6	9.1	11.7	-19.9
Nova Scotia	14.2	12.1	12.8	-9.9
New Brunswick	13.7	12.2	12.0	-12.4
Québec	**11.6**	**7.9**	**9.4**	**-19.0**
Ontario	9.9	8.7	9.5	-4.0
Manitoba	10.8	8.7	8.3	-23.1
Saskatchewan	13.2	10.6	8.8	-33.3
Alberta	11.0	6.7	8.4	-23.6
British Columbia	16.8	10.3	12.4	-26.1
All of Canada	**11.9**	**8.8**	**9.9**	**-16.8**

Source: (CEPE, 2012: 17)

A few tentative conclusions can be drawn from this table:

- All provinces, except Ontario, experienced a significant decline in poverty during the period from 2000 to 2010, but four provinces at the extremities of the country (Newfoundland and Labrador to the east, Saskatchewan, Alberta and British Columbia to the west) experienced the largest decreases. The Québec situation is in the middle, with a decrease of 19%;
- Regarding the incidence of poverty, with a rate of 9.4% in 2010, Québec is tied with Ontario and is surpassed by Manitoba, Saskatchewan and Alberta;
- Québec, Ontario, Manitoba, Saskatchewan and Alberta have a poverty rate lower than that of all of Canada, which is 9.9%.

Given the above, one can conclude that Québec has made significant progress in terms of poverty reduction during the 2000s. However, these gains are uneven and leave out important segments of the population (especially single people). For other groups, such as families with children, the gains have been considerable even if poverty rates remain very high for single family units headed by women. Compared to other provinces, Québec seems to have done well.

Canada and Québec in the World

But what about Québec's position relative to other industrialized countries considering its objective of progressively joining the ranks of the industrialized nations having the least number of people living in poverty by 2013? To compare poverty rates from one

country to another, International organizations such as the OECD use the Low Income Measure (LIM) with thresholds of either 50% or 60% of median income.

In its latest progress review, the CEPE (2012) examines the latest poverty rates for a set of industrialized countries. The results of national surveys conducted to produce statistics on income and living conditions enable a comparison of low-income rates using 60% of median income thresholds. We can compare the Québec and Canadian situations to a subset of seventeen of the most economically developed OECD countries[22], considering Québec as a separate entity.

In 2009, Québec ranked 7th on par with Finland while Canada ranked 16th trailing Italy. As for Canada without Québec, it ranked last after Greece.

Table 3. Low income rates using 60% of the adjusted median after-tax income, all persons in households, 2009

Country	Rank	Low income rate
Netherlands	1	11,1
Finland	7	13,8
Québec	**7**	**13,8**
U-15	13	16.1
Italy	15	18,4
Canada	16	18,6
Greece	19	19,5
Canada without Québec	20	20,0

(CEPE, 2012 : 24)

B) The Evolution of Income Inequalities

Due to the limited scope of this paper, we will present here only a set of selected statistics in order to understand the general evolution of income inequality in Québec as compared to income inequality in other provinces as well as in other countries. For a more comprehensive picture, we refer the reader to the latest CEPE update (2014).

There exists a link between the incidence of poverty in a society and relative inequality in income distribution. There are several techniques to measure this degree of inequality. One important technique is the Gini coefficients[23].

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[22] The 17 countries include the EU-15 Member States plus Norway and Switzerland. The EU-15 countries are referred to as the most economically developed member countries in the European Union. The EU-15 Member States, in order of entry into the European Union, are: France, Germany, Italy, The Netherlands, Belgium, Luxembourg, Ireland, the United Kingdom, Denmark, Greece, Spain, Portugal, Finland, Sweden and Austria.

[23] See note 18.

The Gini coefficient is complementary to various poverty indicators and can inform us about the effectiveness of strategies to reduce economic inequality. There are two main types of Gini coefficients: one is computed for market income (before-tax gross income), the other is calculated on the basis of the available income of individuals, that is to say, after subtracting taxes and adding social benefits. In this section we will use the available income Gini coefficient. The Gini coefficient can be calculated for different types of households or for all individuals. Here, we present only the Gini coefficient for all family economic types, including single persons. At the international level, a standardized Gini coefficient is used to compare income inequality in various countries.

In what follows, we will study the evolution of inequalities in Québec during the 2000s and compare the situation of Québec to selected Canadian provinces.

Québec and Canada

The last quarter century saw a rise in income inequality in most industrialized countries. "During the 1990s, the Gini coefficient rose for all family units in Québec as well in several other provinces, after which it was relatively stable. At the end of the study period (2010), Gini coefficients had reached a 20-year high; however, the gap with some of the other provinces was still in Québec's favour" (CEPE, 2012: 47) as can be seen in Table 4.

Table 4. Gini coefficient for all family units based on adjusted after-tax income, Québec and selected provinces, 1990-2010

	QUÉBEC	ONTARIO	ALBERTA	B-C
2000	**0,294**	0,325	0,312	0,312
2001	**0,298**	0,321	0,311	0,328
2002	**0,301**	0,320	0,298	0,341
2003	**0,295**	0,321	0,311	0,324
2004	**0,299**	0,332	0,310	0,328
2005	**0,296**	0,321	0,303	0,325
2006	**0,291**	0,320	0,314	0,319
2007	**0,290**	0,318	0,319	0,317
2008	**0,297**	0,322	0,315	0,322
2009	**0,286**	0,323	0,332	0,326
2010	**0,293**	0,321	0,322	0,330

(CEPE, 2012 : 47)

Québec and Canada in the World
If income distribution seems more egalitarian in Québec than in Canada as a whole, internationally, Canada and Québec fare worse than many countries that have a comparable level of economic development. According to the CEPE (2012) "Compared

with certain European countries, Québec ranks in the middle; its Gini coefficient appears to be lower than that of Canada, the United Kingdom and a subset of 15 OECD countries, but higher than that of certain countries in continental Europe (Belgium, Netherlands, Germany, Austria) and of all the Scandinavian countries".

In 2000 Canada ranked 11th as compared to 15 European countries regarding equality in the distribution of disposable income and Québec ranked 8th. In 2010 Canada ranked 13 (before Greece, after Italy) as compared to 18[24] European countries while Québec maintained its 8th rank (ex-aequo with Germany, before Switzerland, after Luxembourg) (CEPE, 2012).

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[24] In 2000, data was not available for Denmark, Norway and Switzerland.

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