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Chair: Mr. Emmanuel Dubourg



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• (1535)

[English]

The Chair (Mr. Emmanuel Dubourg (Bourassa, Lib.)): I call this meeting to order.

Welcome to meeting number 29 of the House of Commons Standing Committee on Official Languages.

[Translation]

The committee is meeting to hear witnesses for the study on government measures to protect and promote French in Quebec and in Canada.

To ensure an orderly meeting, I would like to outline a few rules to follow. First, I would like to take this opportunity to remind all participants to this meeting that screenshots or taking photos of your screen are not permitted.

Members and witnesses may speak in the official language of their choice. Interpretation services are available for this meeting.

[English]

Before speaking, click on the microphone icon to activate your mike. When you are done speaking, please put your mike on mute to minimize any interference.

I remind members and witnesses that all comments should be addressed through the chair.

[Translation]

For the sake of the interpreters, when speaking, please speak slowly and clearly.

Unless there are exceptional circumstances, I believe all participants are equipped with a headset and a boom microphone.

The witnesses will be with us this afternoon for the entire meeting. I would now like to welcome them. First, I would like to thank them for accepting our invitation.

We welcome, as an individual, Robert Leckey, dean and Samuel Gale professor, Faculty of Law, McGill University; also as an individual, Anne Michèle Meggs, former director of research at the Office québécois de la langue française; and finally, both from the Fédération des travailleurs et travailleuses du Québec, general secretary Denis Bolduc, and union advisor Gilles Grondin.

Each witness or group of witnesses will have seven and a half minutes for their speech. As always, I will show a yellow card to let you know you have one minute left. When you see the red card,

that will mean that your speaking time, or that of the committee member addressing you, is up.

We will start with Professor Leckey.

Professor Leckey, you have the floor for seven and a half minutes to deliver your speech.

[English]

Professor Robert Leckey (Dean and Full Professor, Samuel Gale Chair, Faculty of Law, McGill University, As an Individual): Thank you very much, Mr. Chair, and good afternoon.

[Translation]

As dean of the Faculty of Law at McGill University, I am proud of the bilingual and bijural character of the faculty. Our program, which is offered in both French and English, integrates common law and civil law. Indigenous traditions also have an increasingly important place. Each year, we have a bilingual student body from all across the country. If I may offer one piece of advice to the government, it would be to strengthen French as a second language in universities across Canada.

As a constitutional scholar, I am devoting my time this afternoon to briefly establish a context for the reform document and to deal with some questions it raises. Official bilingualism is deeply rooted in the Constitution. Section 133 of the Constitution Act, 1867 includes, among other things, the right to use English and French in the houses of Parliament and in the courts of Canada.

The Canadian Charter of Rights and Freedoms enshrines official bilingualism at the federal level as part of the Constitution. Subsection 1 of section 16 reads:

16.(1) English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.

This fundamental principle, that the official languages are equal in status, is therefore a constitutional imperative.

I should also emphasize that language rights under the Charter cannot be subject to the notwithstanding clause.

Furthermore, respect for minorities is one of the underlying principles that breath life into our entire Constitution and are recognized by the Supreme Court of Canada in the Reference Re Secession of Quebec. The court emphasized that, while the language provisions are the result of political compromises, they reflect a broad principle related to the protection of minority rights.

The reform document proposes significant changes to the Official Languages Act. In areas of federal jurisdiction, the Act is the expression of those constitutional guarantees. The Act is quasi-constitutional in nature. In the event of a conflict, it prevails over other federal laws. In light of all this, any amendment to the Act must therefore be carefully and thoughtfully considered.

• (1540)

[English]

Let's be clear. Robust and meaningful official bilingualism at the federal level is often at odds with provinces' laws, policies and spending priorities. In each province, official language minorities thus look to the federal level for support and defence of their rights. We saw this most recently in the cry for help regarding post-secondary education in French in Ontario. The same is true in my home province of Quebec, the sole jurisdiction where the official language minority is English speaking.

It appears that the legislative proposals would represent a fundamental shift in the framework and the purpose of the Official Languages Act. It's certainly open to Parliament to shift policy within its constitutional boundaries, but I wonder whether the proposals would amount to a shift away from the equality of status of both official languages as enshrined in the charter's text. That text is appropriately interpreted in the light of the principle of the protection of minorities.

Let me share two examples.

First, the paper calls for recognizing within the act the linguistic dynamics of the provinces and territories. This includes recognizing for the first time in federal law that Quebec has declared French its official language. This seems to be a sea change. As it stands, the framework of the act is province neutral. The same legal principles apply across the federation. What effect would this have on the interpretation of language rights for official language minorities?

Recall that provinces vary. New Brunswick has constitutional language rights. Ontario has legislated ones. Some have none. Would this principle peg the demands of the federal act to those varying provincial guarantees? Given the act's symbolic significance, might courts detect in such legislative language a warrant for differential interpretation of the charter's linguistic guarantees, including section 23?

Does the proposal resile from the Supreme Court's affirmation that language rights must in all cases be interpreted purposively, consistently with the preservation and development of official language communities in Canada?

Second, the paper proposes to create or strengthen rights with respect to French but not English. This would be another big first in federal language law. For instance, the paper proposes stating in the act's preamble and provisions that English predominates and that French must receive increased protection and promotion.

Another example concerns the protection and promotion of French. The paper proposes rights to work and rights to service in federally regulated enterprises with respect to French alone. Would these proposals effectively differentiate the status of English and French within a quasi-constitutional law?

[Translation]

In conclusion, I invite the committee to carefully consider these interesting proposals. Given their potential for consequences both direct and indirect, they deserve close consideration. I will follow the developments with the utmost interest.

I thank you for your attention.

The Chair: Thank you very much for your opening remarks, Professor Leckey.

Ms. Meggs, you have the floor for seven and a half minutes.

Ms. Anne Meggs (Former Director of Research, Office québécois de la langue française, As an Individual): Thank you very much, Mr. Chair.

It's an honour to address the committee this afternoon.

First, allow me to tell you about the professional experience that has led me here.

I began my professional career with the Government of Canada working on official languages programs in education. I also served as chief of staff to the Minister responsible for Francophone Affairs in Ontario when the first French Language Services Act was passed. I was director of accountability planning for the ministry responsible for immigration in Quebec. I also served as director of research and evaluation at the Office québécois de la langue française.

I will focus on the second and third objectives of the meeting today, which are about the Government of Canada's language framework and possible amendments to the Official Languages Act to better protect French.

Efficiency implies results commensurate with the resources invested. Outside Quebec, it can be said that the results are very mixed. Inside Quebec, the question does not even arise because, to date, the Government of Canada's language framework has included no measures to protect or promote French in Quebec. It has done so only for English.

With respect to the framework's impact on provincial measures to protect French, outside Quebec, the situation of French would likely be even more tenuous without the language provisions of the Canadian Constitution and the support the federal government provides to the provinces for French-language education at all levels and to certain French advocacy groups. In Quebec, the opposite is true. The Government of Canada's language framework is paradoxically designed to protect the country's majority language. Let's be clear, only one official language is at risk in Canada, and that is French.

Here are some of the consequences in Quebec of the federal government's language framework on the provinces' efforts to protect French, as well as on social cohesion in Quebec.

The Canadian Constitution contains several sections that have been used to repeal large portions of the original version of the Charter of the French Language. This has limited the Quebec government's ability to legislate in favour of French, for example, with respect to the language of speeches in the National Assembly, translation of laws, bilingualism in the courts, commercial signage, and access to English-language schools.

The application of Canada's bilingual framework also has a significant effect on the linguistic fabric in Quebec. It is impossible for the Quebec government to impose French-only commercial signage. Everything under federal jurisdiction projects an image of bilingualism in Quebec, putting English on an equal footing with French in federal buildings, on bridges, at ports, in parks, in all federal advertising, and even in any advertising for federally funded events.

Federal public administration is not subject to the Charter of the French Language, which prioritizes services and the right to work in French. In the portion of the nation's capital located in the territory of Quebec, bilingualism is quite simply imposed.

The Canadian language framework also puts up hurdles for Quebec to defend French outside Quebec. It creates a false symmetry between French outside Quebec and English inside Quebec, even in areas of exclusively provincial jurisdiction, such as health care and education. What is good for French outside Quebec is also good for English in Quebec. If Quebec criticizes the closing of a French hospital in another province, it undermines its own leeway in managing its health care system. The same thing goes for education.

This false symmetry also impedes social cohesion in Quebec. If it had been recognized from the beginning of the debate in the 1960s that French needs protection across Canada, the foundations would have been laid for consensus on the measures needed to achieve that goal. Now we find ourselves with legislation that has underlying funding to protect English in Quebec and for groups that defend English.

Finally, let's talk about integrating immigrants to Quebec into the French language. The Canada-Quebec Accord relating to Immigration is the only document I know of where the federal government deviates even slightly from the principle of linguistic symmetry. In fact, it recognizes the importance of ensuring the "integration of immigrants in Québec in a manner that respects the distinct identity of Québec". The transfer is calculated based on the number of non-francophones admitted to Quebec, and it is stated that language integration courses will be in French. The rest of the immigration process is managed by the federal government. So everything is bilingual.

Someone arriving in Quebec from abroad can choose either official language for work or study permits, for permanent residence and for access to citizenship. Every step of the way, the message is clear: in Quebec, English is an official language of their new country. They are allowed to choose English, and it's even fine if they do. This is the exact opposite of the message that Quebec is trying

to convey, and it forms the basis for the Accord, namely the assertion that French is an inclusive, participatory language.

• (1545)

Now, what to do? Could the Official Languages Act be amended to remove those encroachments on the Quebec government's ability to act in favour of French in Quebec, and even outside Quebec?

Unlike Dean Leckey, I am not a lawyer, but as I mentioned, I was privileged to play a role in the passage of the first French Language Services Act in Ontario. The government, at the time a Liberal minority government, determined that it really needed to ensure that public services were available in French. Public services in English were a given. The Act only deals with public services. It doesn't address programs to support groups that defend French. It doesn't mention any minorities. Public services are available in French in the regions and offices defined by the Act. Period.

It's impossible to amend most of the Official Languages Act because, in general, it defines how to apply sections of the Canadian Constitution, which is sacrosanct.

The most problematic sections of the Act, however, do not derive from the Constitution. They are those that create the concept of an English-speaking minority in Canada and propose measures to enhance the vitality and development of that "minority" and to foster the "full recognition and use of English... in Canadian society". It's impossible to imagine how this could be done "while respecting the jurisdiction and powers" of the Quebec government, which is promised in subsection 41(2).

I conclude with the following recommendation. Amendments to the Official Languages Act should focus on the sections underlying the idea that English is a minority language in Canada, that an English-speaking minority therefore exists, and that both are in jeopardy. The message may be hard to hear, but in my opinion, the federal government cannot possibly protect French in Quebec by promoting English there.

I thank you for your attention. I would be pleased to answer any questions committee members may have.

• (1550)

The Chair: Thank you very much, Ms. Meggs.

We now go to the representatives of the Fédération des travailleurs et travailleuses du Québec.

Mr. Bolduc, you have the floor for seven and a half minutes.

Mr. Denis Bolduc (General Secretary, Fédération des travailleurs et travailleuses du Québec): Thank you, Mr. Chair.

Good afternoon, ladies and gentlemen.

My name is Denis Bolduc. I am accompanied today by Gilles Grondin, francization advisor at the FTQ. Thank you for the invitation to speak with the members of this important committee on official languages.

The Fédération des travailleurs et travailleuses du Québec is the largest union federation in Quebec. We represent more than 600,000 workers in all economic sectors and in all regions of Quebec. For more than 50 years, the FTQ has been actively involved in francization. We have become a key player in this area because of our actions, our public interventions and our positions taken to protect and promote the French language.

The FTQ adopted the first language policy in its history at the end of the 1960s, more precisely on November 21, 1969, at its 11th convention held in Quebec City. That same year, the late Fernand Daoust was elected general secretary of the FTQ. Mr. Daoust also served as the FTQ's president between 1991 and 1993. I mention him today because he fought to defend the right to work in French and to negotiate our collective agreements in French in Quebec.

At the heart of the FTQ's first francization policy was the statement that "French must become the normal and everyday language of work at all levels of economic activity in Quebec." This statement is still valid 50 years later. The FTQ has taken concrete action to promote and defend the French language. We have set up a francization service and we act as a catalyst for francization committees in companies. Over the years, we have also acquired expertise in the francization of immigrant workers in the workplace.

That said, the FTQ is pleased with the Government of Canada's willingness to modernize the Official Languages Act. For us, all measures seeking to improve the place of French are welcome, and that is why we applaud the February white paper. From this document, we hope that the government will come up with a more modern policy for linguistic duality and bilingualism in Canada.

We see clearly that not all languages are on an equal footing in Canada. English is not threatened anywhere in Canada, not in British Columbia, not in New Brunswick, not even in Quebec. However, indigenous languages and French are increasingly threatened, even in Quebec, particularly in Montreal. For the FTQ, it is therefore imperative that the federal and provincial governments take firm and coordinated actions in order to save and promote French in Canada.

We recognize that the federal government has an obligation to promote the principle of linguistic duality in Canada but, of the two official languages recognized in the Official Languages Act, French is the true minority language in Canada. French is under threat and must be protected. The white paper recognizes the decline of French, and we were pleased that the document recognized it.

In 1968, the future Official Languages Act provided for institutional bilingualism, to allow minority anglophones and francophones to have access to services in their language and to pursue a career in the public service in their language. However, those objectives have never been achieved for francophones outside Quebec.

What is even sadder is that this reality is taking hold in Quebec. This is the case with jobs in the federal public service. Our colleagues from the Public Service Alliance of Canada frequently call us to talk about distressing situations, particularly in terms of promotions. For a Quebec civil servant, it is necessary to be bilingual

in order to have access to certain senior positions. The same requirement does not exist in New Brunswick, although it is an officially bilingual province, or even in the national capital, in Ottawa, where not speaking French is rarely a handicap or an impediment to obtaining a promotion.

It is clear to the FTQ that its Quebec members working in the public service should be able to enjoy a French-speaking work environment, period.

• (1555)

For years we have been calling for private companies under federal jurisdiction to be subject to the provisions of Quebec's Charter of the French Language. You will therefore not be surprised to hear that the FTQ fully supports the government's intention to "prohibit discrimination against an employee solely because he or she speaks only French or does not have sufficient knowledge of a language other than French in federally regulated private businesses established in Quebec and in other regions with a strong Francophone presence in the country."

In Quebec, we are seeing a clear increase in bilingualism requirements in job postings. Francophones are often discriminated against in job interviews if they are not fluent in English. In addition, employers are finding all sorts of ways to get around the application of section 46 of the Charter of the French Language.

At the FTQ, we believe that the Office québécois de la langue française should be the body responsible for enforcing language of work rights in Quebec. The expertise of the Office goes back almost 45 years. Applying to two different systems would create ambiguities that are neither desirable nor necessary if we truly wish to improve the use of French in Quebec.

With respect to the appointment of Supreme Court judges, we believe that it is imperative that they be bilingual. In our opinion, the same requirement should apply to senior management positions in major Canadian government agencies and to positions in the senior Canadian public service.

I would like to conclude with a word on francophone culture and the availability of cultural, media and digital products in both official languages. The white paper mentions the importance of promoting French and culture in French. For us, it is simple: language and culture go hand in hand. The vitality of the French language must also be accompanied by a rich and diverse cultural life in French.

The Government of Canada has an important, not to say essential role to play in promoting French. Its role must complement the role of Quebec and of organized groups in civil society.

Thank you for your attention.

The Chair: Thank you very much, Mr. Bolduc.

Now that the witnesses have set the table, we'll go to questions.

Mr. Godin has the floor for six minutes.

Mr. Joël Godin (Portneuf—Jacques-Cartier, CPC): Mr. Chair, I think the first round goes to my colleague Mr. Blaney. I think you have the wrong list. This has happened a few times in recent meetings. I don't know the reason for this miscommunication, but it always happens to me. I'm not sure whether you have something against me. I want to tell you that I follow the list very closely, but perhaps we don't have the same list.

With that, Mr. Chair, I think I will turn it over to my colleague Steven Blaney. We'll see each other later.

The Chair: We will fix that.

Don't worry, the timer isn't going.

Vice-Chair Blaney, the floor is yours.

• (1600)

Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC): Thank you very much, Mr. Chair.

My thanks to Mr. Godin for his excellent work. It's a pleasure to be his colleague.

I want to thank the witnesses for shedding some extremely interesting light on a study that the committee sees as a major one. You may know that this is the first time that the Standing Committee on Official Languages has looked into the situation of French all across the country, and specifically in Quebec. In that regard, I must thank our participants today, Mr. Bolduc, Mr. Leckey and Ms. Meggs, who are from Quebec.

Mr. Bolduc, I agree with you, culture and language cannot be separated. We know that here because of our cultural and artistic community. We are also very proud of young Jacob who recently qualified for *Star Académie*. He is very talented.

Let me get right to the point.

Ms. Meggs, thank you for your incisive testimony. Actually, I would really like to start by asking you to repeat the last sentence of your remarks. You said that the language needing support in Quebec is French and that the dual approach in Quebec is devastating. That is what you said just before you ended.

The Chair: Ms. Meggs, turn on your microphone, please.

You have the floor.

Ms. Anne Meggs: I am sorry, Mr. Chair. I have an old 2011 computer that I am trying to keep alive, but I don't know how long it will last. I am very proud of it but it is a little slow. I am trying to find the passage you referred to again.

Essentially, what I said is that I do not see how we can protect French and promote English in Quebec at the same time.

Hon. Steven Blaney: You also talked about a false symmetry between French speakers outside Quebec and English speakers inside Quebec. Can you tell us more about what you mean by that?

Ms. Anne Meggs: I think that Mr. Bolduc mentioned it; I also feel that you previously have attended a number of presentations on Part 1, which I did not bring up. It is becoming quite clear that only one language is in decline in Canada and that it is declining in the face of English, whether we like it or not.

Hon. Steven Blaney: Ms. Meggs, I picked up on an interesting point. You said that federal efforts outside Quebec had supported francophone communities, whereas inside Quebec, they did the opposite, in that they have had an adverse effect on French as the common language.

Did I understand your comments correctly?

Ms. Anne Meggs: Yes, I would say so. I worked for francophones for a number of years, particularly in Ontario. That's why I gave that example. We did not try to make Ontario an officially bilingual province. Instead, we focused on the need to make sure that francophones have access to services where they live. That answers that question.

The Official Languages Act does the same thing at federal level, generally speaking. It deals with services provided in federal institutions.

The problem for me is when people make comparisons and go as far as to state that the official language minority in Quebec should be on an equal level with the French-speaking minority outside Quebec. I have worked with both communities, and, in my experience, English is doing very well in Quebec. Living in English in Quebec is not a challenge.

Hon. Steven Blaney: You said that the federal government's signage policy prevents Quebec from projecting a French-speaking image. In Lévis, for example, we have Fort No. 1, where the signage is in both official languages.

Could you tell us a little more about that? I am interested in your perspective.

Ms. Anne Meggs: A friend of mine recently sent me a message. He had just crossed the Champlain bridge, something he hadn't done in a long time since he lives in the Laurentians. He was surprised to see that all the signs were bilingual. I told him it was federal government signage and it had to comply with the Official Languages Act. He was surprised and angry.

It's the same in the metro; all the advertising for COVID-19 and everything else is posted in both languages. That's what the Official Languages Act forces on us in Quebec; it imposes English.

• (1605)

Hon. Steven Blaney: Yes, it does.

Do I dare say that's what the Official Languages Act is doing? Do you think the situation will change now the Canadian government has acknowledged the decline of French, its minority status and the need to protect it?

Ms. Anne Meggs: I'd really like the Quebec government's choice to be respected in Quebec, but it's incompatible with an act that requires everything be in both official languages across Canada.

As I said, the signage isn't unilingual. In any case, this issue isn't one of the charter elements that Dean Leckey mentioned.

Hon. Steven Blaney: I understand.

You also mentioned immigration. You made me realize it was a Conservative government that delegated the powers that enabled Quebec to implement the francophone component.

Thank you very much.

Thank you, Mr. Chair.

The Chair: Thank you very much, Mr. Blaney. Your time is up.

Ms. Lattanzio, go ahead for six minutes.

Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

I too would like to thank the witnesses for being with us. I want them to know that their involvement will help us continue our work on this very important study.

My questions are for Dean Leckey.

[*English*]

Dean Leckey, first off, I think your introductory piece was exquisite in that you asked several very pertinent questions. I would invite you to not only file your introductory remarks but also pen to us, if you can, your opinions and your responses to the questions you brought up in your introductory speech. Again, I found it to be very pertinent.

We've heard some contradictory remarks from members of the opposition with regard to linguistic regimes and jurisdictions. While the opposition has asked the federal government to take a bigger role in the rest of Canada, when it comes to Quebec the opposition openly gives precedence to the National Assembly of Quebec to legislate on all linguistic matters. Can you speak to this overlap of linguistic regimes and speak to each level of government's jurisdiction with regard to official languages?

Prof. Robert Leckey: Thank you very much for your comments and for the question. I will be pleased to share the document that I read. Honestly, some of the questions I asked are genuine questions for which I don't have an answer to fill in and then send your way. Part of the delicacy of modifying a quasi-constitutional law is that it's hard to know for sure what its effects will be, how it will be interpreted informally by public servants carrying out their mandate, and how it will be interpreted by courts.

I will think carefully about how much more I could answer. They were genuine questions that I was sharing with you about the potential interpretive consequences.

Ms. Patricia Lattanzio: They were excellent questions.

Prof. Robert Leckey: Thank you.

In terms of legislative or constitutional competence, neither order of government in our federation has exclusive authority over language. Rather, each of the orders of government, in the execution of their other duties as they legislate in respect of matters within their authority, are able to deal with the linguistic dimensions. The Parliament of Canada, as it deals with other matters within its authority, can deal with a linguistic dimension. With the provinces it's the same case.

The idea that there could well be linguistic laws, rules, regimes, programs and priorities at the two orders of government is kind of

hard-wired into our constitutional structure, if you will. As I hinted, at times there's a bit of tension between them, in the sense that the kind of bilingual dual regime at the federal level certainly isn't one that each province would have adopted. It can be a fruitful tension, as tensions can be. At times, of course, various stakeholders will perceive that tension as less fruitful.

● (1610)

Ms. Patricia Lattanzio: Okay.

With regard to federally regulated businesses, is the federal government within its full jurisdiction to impose the OLA?

Prof. Robert Leckey: Yes, certainly—as I understand the constitutional jurisprudence.

Ms. Patricia Lattanzio: Okay.

The OLA has been recognized, as you mentioned a few times, as a quasi-constitutional act by the Canadian courts, especially the Supreme Court of Canada. We've heard previous testimony regarding its privileged status in comparison with other federal statutes, especially those that would be inconsistent with it. What is the place of the OLA within the larger Canadian legal framework? How does it harmonize with or relate to other jurisdictions that have their own linguistic regimes?

Prof. Robert Leckey: Within the federal legislative ecosystem, if you like, the sort of understanding of the Official Languages Act as quasi-constitutional means that in a case of conflict with another law, it might be taken as prevailing over it. It can be also perceived to represent a particularly strong or clear representation of Parliament's will. So there can be indirect influence from it as well, outside a case of direct conflict.

In terms of the relationship with provincial laws, in a sense that was one of my open questions. What kind of relationship will it be if the federal law is to take into account the linguistic situation in the provinces or territories? What exactly will that mean? Is that a demographic statement or a sociological statement? Is it a legal statement, where legal interpreters or judges applying federal law are to take account of the legal regimes on the ground in the different provinces? That was one of the questions I had on which I thought greater clarity might be in order. There's a big difference between the taking account of numbers of the population and the taking account of a province's laws.

Ms. Patricia Lattanzio: How would we strike that balance?

Prof. Robert Leckey: You might need to identify a little more clearly the objective that you were pursuing with that language and perhaps try to sharpen that language. It struck me as being subject to a range of interpretations as it is now.

Ms. Patricia Lattanzio: Okay.

I'd like to hear your opinion on the lack of harmony that exists between the different linguistic regimes, as some provinces—and you alluded to that before—have robust linguistic protections and services for the minority language communities across the country, and others, like B.C., don't even have a policy on French services, or Alberta, which has created a policy as recently as 2017.

The Chair: Excuse me, Ms. Lattanzio, your time is over. Maybe Mr. Leckey will respond to that later.

Ms. Patricia Lattanzio: Thanks.

Can he respond to it now, Mr. Chair? I finished asking the question.

The Chair: You already asked the question, but your time has expired. In the next round you can ask Mr. Leckey again to answer that question.

Ms. Patricia Lattanzio: Mr. Chair, I don't mean to impede on anyone else's time, but in case I do not come back to it, would Dean Leckey provide me with an answer in writing? That would be sufficient for me as well.

[Translation]

The Chair: Thank you very much.

I should also remind members of the committee that most of the witnesses have sent us their speaking notes. They have not been distributed because we don't have them in both official languages. However, the analyst has them, and we will also use them for the purposes of our report.

Mr. Beaulieu, you have the floor for six minutes.

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Thank you, Mr. Chair.

First of all, I have a question for the FTQ representatives.

You spoke at length about the importance of the language of work. You've noted in a document that a single system should be used to administer the act in Quebec to ensure the language of work there is French. The Quebec government also states in its demands regarding the modernization of the Official Languages Act that French is the only minority language threatened in Canada and that the provincial government should oversee language planning in Quebec.

What do you think of that? Do you agree with Quebec's position?

Mr. Denis Bolduc: I think I was quite clear on that point in my presentation. Only one language is actually threatened, and it's French. Recent surveys show that two out of three businesses on Montreal Island would like the people they hire to be bilingual. That alone is an indication of the situation. When you go into a business in Montreal, it's not unusual to see that no one speaks French there.

• (1615)

Mr. Mario Beaulieu: That's absolutely true.

French is declining as a common language of work. As was previously said, the sole purpose of the Official Languages Act is to reinforce English in Quebec. You can see that in all the grant programs it provides for and in the so-called positive measures, which

target the primary and secondary schools, for example, and provide approximately \$50 million for English and support for anglophone pressure groups and, more particularly, health services in English.

I think those measures have caused considerable harm to French as a language of work and as a common language in Quebec.

Those positive measures include francization committees, although, from what we're told, many of them are inactive

Shouldn't the funding the federal government grants be allocated fairly between English and French programs so it can help reinforce francization committees, for example?

Mr. Denis Bolduc: I'm going to let Mr. Grondin answer that question because he works closely with francization committees across Quebec.

Mr. Gilles Grondin (Union Advisor, Fédération des travailleurs et travailleuses du Québec): Thank you, Mr. Bolduc.

Yes, francization committees do exist, but only in businesses with 100 or more employees that are regulated by the Quebec government. Consequently, Quebec legislation doesn't provide for such committees in businesses with fewer than 100 employees, if in fact those are the committees you're talking about, Mr. Beaulieu.

Some of the committees are more inactive than others. I don't think the situation of French in the workplace is still a big priority for the unions because so many other union issues have to be considered within a business. However, I'm trying to see the connection between federal government funding and the organization of francization committees.

Mr. Mario Beaulieu: It's not really on anyone's radar in Quebec. Programs introduced under the Official Languages Act represent somewhere between \$80 million and \$100 million a year. That funding's currently used solely to shore up English and all the anglophone pressure groups such as the Quebec Community Groups Network. So it has a major impact.

Under the present government, you can see the opposition parties are in favour of enforcing Bill 101 in federally regulated businesses. The Liberal Party is opposed to it and thinks the Official Languages Act could be amended to favour French. Earlier you talked about the Public Service Alliance of Canada. When Alliance representatives appeared before the Standing Committee on Official Languages, they said that systemic discrimination was deeply rooted in the federal government, which takes it for granted that everything's done first of all in English.

Do you think the Official Languages Act can be amended to make French the common language?

The federal government will continue anglicizing the language of work if the Liberals successfully oppose the bill.

Mr. Denis Bolduc: Our colleagues from the Public Service Alliance probably told you as well that a large percentage of federal public servants who work in Gatineau, New Brunswick and other so-called bilingual regions feel uncomfortable speaking French at work. That's a problem.

Mr. Mario Beaulieu: The people who say they're uncomfortable working in French represent 44% of the workforce. That's far short of where we should be.

My next question is for Ms. Meggs.

Ms. Meggs, you raised a very important point when you discussed people arriving in Quebec from abroad. When they choose an official language, whether it be for work or study permits, or permanent residence or citizenship applications, the message in Quebec is clear at every stage: English is an official language of their new country and they're allowed, indeed it's even normal, to choose English.

Doesn't the Official Languages Act completely frustrate the aims of the Charter of the French language?

• (1620)

The Chair: Thank you, Mr. Beaulieu.

Your time is unfortunately up.

Ms. Meggs may answer your question during the next round of questions.

Go ahead, Ms. Ashton.

[English]

The floor is yours for six minutes, Ms. Ashton.

[Translation]

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Thank you, Mr. Chair.

Mr. Bolduc, first I'd like to express my full support and that of the entire NDP caucus for the members of the Syndicat des débardeurs du port de Montreal, local 375. Those people, who are on strike, were betrayed by the Trudeau government today. We can clearly see that the government isn't a friend of workers since it resorts to special legislation whenever management so requests.

My colleague Alexandre Boulerice, our leader, Jagmeet Singh, and many of my colleagues have stood in the House to denounce this special act. We will continue to stand in support of the workers of the Port of Montreal.

Furthermore, talking about Liberal failures, I would note that the pandemic has shown that the government wasn't serious about defending both official languages. As the Public Service Alliance clearly stated, while French was already an afterthought before the pandemic, it became even more so when the pandemic hit in full force.

With regard to the hiring and retention of staff in the public service and elsewhere, can you tell us what you think of the requirement that candidates for certain positions be bilingual at the time of hiring? Do you have an alternative you could propose?

Mr. Denis Bolduc: First of all, thank you, Ms. Ashton, for your kind words concerning the longshoremen and longshorewomen of the Port of Montreal. I'll say no more about that because it's not our topic for today.

As for bilingualism, I'm a member of the Office québécois de la langue française, and we regularly see announcements for jobs in certain businesses that require applicants to be bilingual. We can accept that, but sometimes I see cases where 130 out of 150 jobs in a business are advertised as having to be filled by bilingual persons. The idea has even been expanded to the point where candidates are required to be fluently bilingual. As I said in my presentation, the people who are penalized here are francophones, in their own francophone majority city and province.

Many cases—and this happens frequently—involve people who don't speak English, mainly in the regions. The percentage of people who speak English in the regions is not very high, and they find themselves in situations where bilingual positions are advertised. Under the act, applicants can't be discriminated against based on an English proficiency requirement. No francophone in Quebec should be denied a job because he or she doesn't speak English, but it does happen. Some mechanism should be established to ensure that's no longer the case.

We have long claimed the right to work in French in Quebec, and we will continue to do so. Measures should be introduced to ensure that right is honoured in practice and isn't circumvented by certain businesses.

Ms. Niki Ashton: You also propose that businesses with 50 or more employees be required to establish joint francization committees so workers can act as watchdogs for French in the workplace.

Do you think that would be enough to restore French to its important position?

• (1625)

Mr. Denis Bolduc: It would definitely help. The vast majority of businesses in Quebec have 100 or fewer employees. These are small and medium-sized businesses. A requirement for small businesses to establish francization committees would obviously be welcome and would help promote and protect the French language in Quebec.

Ms. Niki Ashton: Lastly, what are your expectations regarding the modernization of the Official Languages Act?

Mr. Denis Bolduc: We were happy to see in the white paper that the federal government had finally acknowledged the decline of French across Canada, including in Quebec.

Only two or three months ago, I was contradicted when I said that French was in decline in Quebec. Now I think it's obvious. The simple act of writing it down in a government document constitutes a welcome recognition that can help protect French.

The Chair: Thank you, Mr. Bolduc and Ms. Ashton.

Mr. Dalton, go ahead for five minutes.

Mr. Marc Dalton (Pitt Meadows—Maple Ridge, CPC): Thank you, Mr. Chair.

Thanks to the witnesses for their comments.

My father was posted to the military base in Chibougamau in the 1970s. I spent all three of my high school years in an English-language school there. At the time, in addition to the public school, there were two anglophone schools there, one Catholic and the other Protestant.

Most of the workers in Chibougamau spoke French at the time, but the commanders, leaders and engineers spoke English. Most of the students at the anglophone schools were the children of the military personnel on the base. There's a French school now, and most of the students, 60%, are indigenous, from the Cree nation. The change is quite interesting.

Mr. Bolduc, I know you've wanted French to be the language of work everywhere since the 1960s.

Has that now become a reality?

Have you seen a big difference in the past 10 years? What changes have occurred?

Mr. Denis Bolduc: Thank you for your question, Mr. Dalton.

I was born in 1962. When I was a young boy, my father worked in the mines in Chibougamau.

Mr. Marc Dalton: Oh, really?

Mr. Denis Bolduc: I think it was the Campbell mines.

Mr. Marc Dalton: Yes.

Mr. Denis Bolduc: It's been confirmed to me, as you say, that the foremen and members of management were anglophones. Spectacular accidents occurred in the mines in the 1960s. I think it was because of the language used, but lives could have been saved if everyone had understood each other.

That's quite a digression. You took me back to my childhood.

• (1630)

Mr. Marc Dalton: What school did you attend?

Mr. Denis Bolduc: I was too young to go to school.

I think the decline of French has continued over the past 10 years.

I live in Quebec City and work in Montreal. The situation of French is undeniably deteriorating in Montreal. Businesses increasingly demand that their employees be bilingual or that they at least speak English. As a result of immigration, people frequently speak three or even four languages. It's a gift to be able to speak several languages, but I think French has to be protected. People should be encouraged to use French in the workplace.

We often see that everyone starts speaking English the moment an anglophone enters the room, even in Montreal. The majority adapts to the minority. It's a reality we see in Quebec.

When I was a member of the Canadian Union of Public Employees, a national union, I never attended a meeting where francophones were in the minority and all the participants started speaking French.

Mr. Marc Dalton: It's the reverse in this committee.

Ms. Meggs, what measures would we need to defend French?

Ms. Anne Meggs: Quebec has established the language planning it decided on. It did so long time ago. I think the Charter of the French Language was the second bill the Parti québécois government passed, in 1976 or 1977. It did so precisely to reinforce the French fact in many sectors, education in particular. Everyone in Quebec was supposed to go to French-language schools. Some exceptions were made for people who had attended primary school in English and who could thus send their children to anglophone schools. Otherwise, however, everyone, including newcomers, had to go to a French-language school. That was the measure that did the most to preserve French.

The Chair: Thank you, Ms. Meggs. I unfortunately have to stop you there.

Mr. Arseneault, go ahead for five minutes.

Mr. René Arseneault (Madawaska—Restigouche, Lib.): Thank you, Mr. Chair.

Thanks to all our guests. I may not have time to talk to everyone, but we're definitely hearing what the witnesses are telling us today. It's not falling on deaf ears. This is important.

I'll turn first to Mr. Leckey because I'd very much like to hear his answer to Ms. Lattanzio's question.

As previously stated, in this big, beautiful country, in this Confederation consisting of provinces and a federal government, language regimes sometimes differ from province to province. I come from New Brunswick, an officially and constitutionally bilingual province. Quebec has Bill 101. Some provinces are more inclined to help francophones. I'm thinking of Ontario in particular.

Going back to the context of this study, how do you think the Official Languages Act has promoted the advancement and vitality of language minorities despite the disparity among language regimes across the country?

Prof. Robert Leckey: The fact that language regimes differ from province to province reflects the history of each province and the legislative policy decisions they've made within the limits of their areas of jurisdiction. This diversity is actually one of the foreseeable consequences of our federal system. It's normal for there to be differences from province to province.

I would point out that the Parliament of Canada, acting in a federative capacity, can establish a degree of harmony or uniformity among visions of that constitutional bilingualism. Even though provincial legislative choices vary, I think the fact that the federal government and provinces make different choices has more upside than downside.

Mr. René Arseneault: Do you think the white paper on reform of the Official Languages Act includes the necessary tools to do what you're suggesting, which is to promote language rights by harmonizing whatever isn't already harmonized in the language policies of the various administrations?

• (1635)

Prof. Robert Leckey: Could you repeat your question?

Mr. René Arseneault: Do you think that the white paper, which promises a reform of the Official Languages Act, includes the essential tools to promote language rights as far as possible despite the fact that the various administrations in this great federation don't afford linguistic minorities the same protections?

Prof. Robert Leckey: The white paper contains all kinds of other good suggestions in addition to strengthening accountability for discharging federal obligations, which is a positive measure. There's one federal responsibility that mustn't be overlooked. Within the present constitutional framework, the federal government has a responsibility that is separate from that of each province. As I understand it, the federal government is responsible for protecting and promoting both official languages and their equality of status.

Mr. René Arseneault: I'm a lawyer by profession, Mr. Leckey. I studied at the law faculty of the Université de Moncton, the first law school to teach common law in French, if I'm not mistaken. Over the course of my 23-year career, I'm proud to have practised the profession of common law lawyer 99% of the time in French.

Isn't that the kind of success that the Official Languages Act and the federal government's promotion of language rights make possible?

Prof. Robert Leckey: The Université de Moncton's law faculty is a tremendous success.

One of the tragedies, in my view, is that the judgments rendered by Quebec judges who work in French are never translated. As a result, judges in other provinces, particularly federal government appointees, are deprived of the wealth of Quebec legal thinking, even that set forth in judgments in which federal statutes are interpreted because those judgments remain in French, for lack of funding for translation. There is much to be proud of in Quebec jurisprudence, but we don't share that wealth.

Mr. René Arseneault: You're absolutely right.

The Chair: Thank you very much, Mr. Leckey and Mr. Arseneault.

Mr. Beaulieu, go ahead for two and a half minutes.

Mr. Mario Beaulieu: I'd like to give Ms. Meggs a chance to answer my last question.

In promoting institutional bilingualism, federal language policy constantly conveys the message that English is an official language. Doesn't that undermine the Quebec government's effort to include and integrate newcomers?

Ms. Anne Meggs: I think that's true. The Charter of the French Language and the Canada-Quebec Accord acknowledge the importance of that aspect. I might even say that the Canada-Quebec Accord somewhat contradicts the Official Languages Act because it recognizes the distinct character of Quebec society and the need for measures to help immigrants acquire the French language and culture in Quebec.

Quebec wants to convey the message that French is the language that will promote integration, inclusion and active participation in Quebec society. We want a common language, and that's French.

However, English does occupy a very important position and exercises a very strong power of attraction.

In addition, temporary immigration is now surpassing permanent immigration. People can now enter the country without meeting any language requirements. They may study and work in English for years and then apply for permanent residence.

The federal policy will definitely undermine Quebec's efforts as a result.

Mr. Mario Beaulieu: I'd like to put the same question to the FTQ representatives.

We want to make French the common language in the workplace. So do you think the federal approach to institutional bilingualism undermines francization in the workplace?

Mr. Denis Bolduc: I didn't understand the question because I lost my Internet connection.

Mr. Mario Beaulieu: We want to make French the common language in the workplace. Don't the federal government's efforts to promote institutional bilingualism and English-language services undermine the francization of the workplace? Aren't these two contrasting approaches?

• (1640)

Mr. Gilles Grondin: Allow me to answer your question, Mr. Bolduc.

That of course causes considerable confusion in people's minds. From the outset, that confusion establishes a dynamic that's hard to change when you impose French in the workplace. That's the first thing I can say on that subject. It does indeed prevent francization in certain respects.

The Chair: Thank you, Mr. Grondin.

I'd like to ask the clerk to check to see if Mr. Bolduc is having technical difficulties to ensure he can continue answering questions during the next round.

Ms. Ashton, go ahead for two and a half minutes.

Ms. Niki Ashton: Thank you, Mr. Chair.

My question is for Ms. Meggs.

What do you think the government can do to promote the integration of newcomers into minority language communities? What can be done to make them want to learn and preserve French, and then to instil that desire in their children?

Ms. Anne Meggs: I have to say that's a major challenge. To begin with, children born to francophone parents outside Quebec are starting to opt for English. So it's hard to imagine how newcomers can settle in francophone communities outside Quebec and live fully in French there.

Furthermore, that was already a challenge when we passed the French Language Services Act in Ontario. We wanted to make sure the services we had just established, in some instances against the wishes of Ontario officials, would be used. We targeted francophones with a campaign entitled, "Le français, je m'en sers," to encourage them to choose French.

We have to make sure that ties are established among groups that defend French and newcomers. Is it up to the federal government to do that, or should each province be encouraged to do so? Many of the services offered to newcomers are the province's responsibility. That's often the case in immigration. Whether it's getting a work permit, a driver's licence or health services, for example, the situation isn't always easy. Apart from Quebec, there are few provinces where that can be done in French. It's a challenge.

However, when the French Language Services Act came into force, we found solutions so that those services could be provided, even remotely, if necessary. For example, if no bilingual experts were available in Liquor Control Board of Ontario stores, people could use a telephone that was made available to them to call an expert for advice on what wine they should drink with their meal.

Thanks to teleworking, you can find various ways to encourage French-language services. You have to be innovative.

The Chair: Thank you very much, Ms. Meggs and Ms. Ashton.

There are two five-minute speaking turns left in this round.

This time it's up to Mr. Godin to start.

Mr. Joël Godin: You have the right speaking sequence, Mr. Chair.

Incidentally, I didn't intend any lack of respect toward the chair when I spoke earlier. I was simply trying to clarify matters so all my colleagues would know I was paying attention to the conduct of this meeting. There was some confusion about the speaking order, but that's not my responsibility.

The Chair: No need to apologize.

Mr. Joël Godin: I want to thank the representatives of the three organizations here present. Thank you for taking part in our study.

I'd just like to recall that this study concerns government measures to protect and promote French in Quebec and Canada. However, I sincerely think we're evading the issue here. We're coming to the conclusion that the decline of French is a problem in Quebec, but I don't think we can manage that decline across the country. Measures will be taken under the Official Languages Act and the white paper to protect the equality of the two official languages. However, in considering the situation as a whole, at the national level, aren't we straying from the issue, which is the need to protect and promote French in Quebec?

I'd like Mr. Leckey to talk to us about the Charter and the legal principles pertaining to English and French.

Mr. Leckey, do you sincerely think we can find solutions for promoting and protecting French in Quebec by adopting an overall perspective?

• (1645)

Prof. Robert Leckey: Would you please repeat the question?

Mr. Joël Godin: If we consider the rights of anglophones and francophones from an overall perspective, in the context of the Official Languages Act, do you think we can solve the problem of French in Quebec, that is to say, the issue of the promotion and protection of the French language in Quebec?

Prof. Robert Leckey: I don't have a crystal ball, and I don't think any government can come up with a permanent solution because this is a complex, multigenerational problem. I don't think the idea is to find a single solution. Many actions will have to be taken to promote French in both Quebec and the minority language communities outside Quebec.

The starting point, as I see it, is obviously the constitutional framework and the equality of status of the two official languages. The Parliament of Canada, thus far, may have established a framework for the application of those principles across the country. My objective today wasn't necessarily to predict the outcomes of one policy or another but to highlight the scope of the proposed changes to that known and established framework. I encourage you to ensure that the changes you propose and put forward are the product of informed choices.

The issue, in my mind, was the extent to which the changes proposed to protect French in Quebec might risk diverting us from the equality of status guaranteed by the Canadian Charter of Rights and Freedoms and implemented under the present act. That was my thinking.

Mr. Joël Godin: Thank you, Mr. Leckey. You're encouraging us to be disciplined and respectful of the Constitution. However, I think we have to reflect on the specific measures that should be taken to find solutions to the problems. We have linguistic minorities in Canada, French is declining in Quebec, and these are two completely different problems.

I'd like to hear Ms. Meggs' comments.

You mentioned efficiency. You said we have no way to protect Quebec francophones. I share your opinion on that point. I'd like to know what potential solutions you propose to restore French to its rightful position in Quebec.

Ms. Anne Meggs: The conclusion I've reached is that the measures the federal government has put in place to ensure respect for both official languages must not undermine Quebec's efforts to protect French.

As regards the Official Languages Act, where the ambiguity begins, as Mr. Bolduc said, is where you say that the status of English in Quebec and that of French outside Quebec are equivalent. There is no such equivalence, and no one can convince me of the contrary. I've been dealing with statistics for years, and I can tell you that's not the case.

As Dean Leckey said, we definitely have to be attentive, but attentive to the way the Official Languages Act is administered by the federal government so it doesn't undermine...

The Chair: Thank you, Ms. Meggs. Time is up. I allowed you a few seconds to wrap up, but I have to stop you there. Mine is a thankless task.

I now turn the floor over to Mr. Lefebvre for five minutes.

Mr. Paul Lefebvre (Sudbury, Lib.): Thank you, Mr. Chair.

Thanks as well to all the witnesses who have joined us here today. Their remarks are very interesting.

I live in the Sudbury region, but I'm originally from Kapuskasing. I have to admit that my family and I are the fifth generation of transplants from Quebec and Acadie living in northern Ontario. My children and I attended French schools.

The first time I went to Montreal, I was a student at the University of Ottawa, and I went to see a Canadiens game at the Forum. They unfortunately lost to the Flyers again that time. I'm still saddened by the memory. On my second visit to Montreal, I was with my wife, and we attended a Francis Cabrel concert. We Franco-Ontarians live in French, but, as Mr. Godin said, we have a lot of issues.

I think the study's really fascinating. We obviously consider Quebec the francophone hub of North America. However, I hear our Quebec friends say that they have problems too and wonder how we can address them. That's the question.

In Ontario, when we Canadian francophones get up in the morning, we know we have a fight ahead of us, as my friend Darryl Samson used to say. If we want to retain our language and culture, we have to fight. When we go to bed at night, we know we'll have to fight again tomorrow.

Like Mr. Arseneault, I studied law in the common law section of the law faculty at the University of Ottawa. Although I'm a tax lawyer, not a constitutionalist, I acknowledge the importance of the entire constitutional aspect that enabled me to study in French and my children to be educated in French. It's harder at the postsecondary level, however, as a result of the division of powers and the fact that education is more a provincial than a federal jurisdiction, although the federal government supports postsecondary education.

My first question is for Mr. Leckey. I'll question the other witnesses if I have time.

The purpose of Canada's present language rights system is to protect French in particular, and we've established French-language schools to protect French in Canada. As regards the case law on language rights, particularly respecting schools and section 23 of the Canadian Charter of Rights and Freedoms, can we say that the symmetry the Supreme Court has adopted in interpreting language rights has benefited Canada's francophones?

• (1650)

Prof. Robert Leckey: I agree with you that the Supreme Court's broad interpretation of section 23 of the Canadian Charter has largely benefited francophone minority communities outside Quebec.

Incidentally, the judgment rendered in Quebec last week on the Act respecting the laicity of the state surprised some people, who apparently hadn't followed case law developments, particularly the

Supreme Court of Canada's judgment actually acknowledging the anglophone minority's right to manage its institutions. I think this jurisprudence has mainly benefited francophone communities.

Mr. Paul Lefebvre: If you look at the case law across the country, you see challenges. Some provinces don't want to recognize, and still deny, those quasi-constitutional section 23 rights to an education in French. The situation is really tough, especially in the western provinces, where it's been a longstanding struggle.

In some regions I've visited, many francophone families would like their children to attend a French-language school in their neighbourhood without having to face a one-hour bus ride to get to their school. Access to francophone schools is a major challenge.

Do you have anything to add, Mr. Leckey?

Prof. Robert Leckey: I'd simply like to point out that the right of access to justice in English is still not guaranteed in Quebec.

Although you can be served in English in a store on Sainte-Catherine Street, the right of access to justice in English isn't necessarily always recognized in the province's courts.

I know that members of the committee say English isn't threatened in the province of Quebec, but there's currently no guarantee that an anglophone clerk or judge will be on hand for English cases in Quebec, even though that's a right provided for under the Constitution Act, 1867.

Mr. Paul Lefebvre: That's interesting. Thank you very much.

I'd like to ask more questions, but that'll have to wait.

The Chair: Thank you very much.

Dear witnesses and members of the committee, we have completed one round of questions. We have 35 minutes left. I propose that we have a round of questions in which each party represented on the committee is allotted seven minutes. You may share that time with other colleagues. Then we will adjourn.

Mr. Godin, you have the floor for seven minutes. Please let me know if you wish to share your speaking time with someone else.

• (1655)

Mr. Joël Godin: Thank you, Mr. Chair.

I'll be sharing my time with my colleague Mr. Blaney. I'll give him two of my seven minutes, if that suits him.

Mr. Bolduc, first of all, I understood that you represent 600,000 workers in Quebec.

Do any of the businesses you represent operate in federally regulated sectors?

Mr. Denis Bolduc: A lot of them do. That's the case in the communications sector in particular. You also have to include sectors where the longshoreman of the Port of Montreal operate, as well as other Quebec longshoreman who are members of the FTQ, and members of the Public Service Alliance of Canada.

Mr. Joël Godin: My second question, Mr. Bolduc, concerns the option of choosing your language of work if you're an employee of a business in a sector under federal jurisdiction. Francophones are intimidated in meetings. You discussed that earlier. They can assert their wish to work in French all they want, but they can't do it.

Shouldn't French be established as the language of work in federally regulated businesses located in Quebec?

Mr. Denis Bolduc: Yes, indeed. Earlier I cited the example of federal public servants who work in Gatineau. They're uncomfortable—and I mean "uncomfortable"—speaking French in the workplace. I don't think that should be the case in Quebec. People should speak French in a francophone workplace. As I said, when I attended national union meetings in and outside Quebec, people often spoke English if there was a single anglophone in the room.

Mr. Joël Godin: Even as Quebec citizens, we automatically speak English when a tourist asks for information in English. We also have a responsibility to promote French.

Mr. Denis Bolduc: Yes, we have the same responsibility when people enter a business in Quebec.

Mr. Joël Godin: Yes, absolutely.

Mr. Denis Bolduc: When someone answers us in English, we have a responsibility to ask that person to respond in French too.

Mr. Joël Godin: Mr. Bolduc, after the white paper was released, you said you were pleased with any measure that promoted French but that you hoped the act would be modernized in a way that addressed these alarming declines. You acknowledge that there has been a decline in French, especially in Montreal, and you're pleased with the announcement of the white paper. I think everyone here is pleased to see there's an intention to do something. However, there's a difference between intention and tangible action.

Mr. Bolduc, what do you think is the most important measure that should be introduced now to offset the decline of the French fact in Quebec?

Mr. Denis Bolduc: I often say that, as parents, our responsibility to our children is to set an example. I'll say offhand, without thinking about it too much, that, if the federal government set an example, in its institutions and the public service, regarding French in Quebec, that would be part of the solution.

Mr. Joël Godin: Thank you, Mr. Bolduc.

I would've liked to ask other witnesses more questions, but, as I promised, I'm going to share my time with my colleague from the Rive-Sud, in the Quebec City area.

Hon. Steven Blaney: Thank you very much, dear colleague from the Rive-Nord.

My question will be for Mr. Leckey and the three witnesses.

Do you acknowledge that French in Quebec is in the minority in the North American context?

Prof. Robert Leckey: Yes, of course.

Hon. Steven Blaney: Do you acknowledge that the federal government must take specific measures to protect French in Quebec in that context?

● (1700)

Prof. Robert Leckey: What do you mean?

Hon. Steven Blaney: Since French is in the minority in Quebec, does the federal government have a responsibility to promote one of its two official languages in its national home, which is Quebec City?

Prof. Robert Leckey: I'd like to think about that.

Hon. Steven Blaney: I'll allow you the time to do that.

I'm going to put my question to Mr. Bolduc.

Mr. Bolduc, you said that French is clearly in the minority in the North American context. We nevertheless have to admit that we aren't speaking to each other in English, and that's a good thing.

Do you think the federal government has a bigger role to play in the new version of the Official Languages Act with respect to the promotion and preservation of French in Quebec?

Mr. Denis Bolduc: You have to accept that the situations are different if you're in Quebec or elsewhere in Canada.

Can anyone seriously claim that English needs the same protection as French across the country, mainly in Quebec? The answer's obvious.

Hon. Steven Blaney: Thank you, Mr. Bolduc.

Ms. Meggs, should we put an end to the false symmetry in Quebec, by which I mean should we introduce specific measures designed to promote French in Quebec?

Ms. Anne Meggs: Yes, we should, somewhat as we've already done with regard to integration.

Hon. Steven Blaney: All right. Thank you.

Mr. Leckey, have you had the time to consider my question, which was what approach should the federal government take with regard to the symmetry of language rights?

You acknowledge the minority status of French in Quebec. What then is the federal government's role in preserving French in Quebec?

Prof. Robert Leckey: That's a complex question because the federal government also has a constitutional duty to see to the promotion and protection of the minority official language in Quebec, which is English. Consequently, in defining federal duties, you also have to consider those constitutional obligations, which you're not discussing.

Hon. Steven Blaney: Yes, you began by saying that the federal government had a responsibility to protect minority rights. Since you acknowledge that French in Quebec is a minority language, I thought you were going to tell me it's a federal responsibility to protect the French fact in Quebec.

Whatever the case may be, thank you very much.

The Chair: Thank you, Mr. Blaney.

Pardon me, but time is flying by, and we must go to Ms. Martinez Ferrada.

Go ahead for seven minutes, Ms. Martinez Ferrada.

Ms. Soraya Martinez Ferrada (Hochelaga, Lib.): Thank you, Mr. Chair.

I'll be sharing my time with my colleagues Ms. Lattanzio and Ms. Lalonde.

I'd like to go back to the immigration question. The Coalition Avenir Québec, or CAQ, has issued a report on this, the Samson report. In that report, it noted that 43% of newcomers, or immigrants, to Quebec and to Montreal didn't speak French. That was the case of 55% of economic immigrants.

I'd like to hear what the representatives of the FTQ and the Office de la langue française have to say about the connections among francization, the economic integration of immigrants and the French fact. How will we make sure we protect French in the circumstances?

Could you also discuss the initiatives you've taken and what you'd like to see added to the white paper on this subject?

Mr. Gilles Grondin: I can answer those questions.

Immigrant francization is really a significant factor that must be considered for the future of French in Quebec. We won't deny that. We also have to ensure that Bill 101 is enforced in the schools for immigrant children, who represent a significant contribution. There are also all kinds of considerations. For example, I was talking about the ambiguity of the message the Canadian government sends regarding the English fact. We have to make sure no one challenges the fact that it all happens in French in the workplace in Quebec. That'll be a major contribution to the quality and vitality of French.

I think it'll be extremely important to maintain French language rights and to ensure no undue challenges are raised to the French fact. We'll work together with the unions.

We have to ensure that Bill 101 contains provisions on the inclusion of working conditions for workers respecting francization. That should therefore be included in francization committee discussions. We think these are important points that must be brought forward.

Does that answer your question, Ms. Martinez Ferrada?

Ms. Soraya Martinez Ferrada: Yes, but you may forward any further comments you may have in writing at a later date.

As you said earlier, the immigration issue remains an important factor in maintaining French. We have to ensure that francization in the immigration component is supported in future, particularly by

the union and management, as it affects all aspects pertaining to working equipment and labour.

● (1705)

Mr. Gilles Grondin: The next challenge will indeed be to work on the francization of all aspects affecting workers, even beyond the working equipment they need to do so, as you put it.

Ms. Soraya Martinez Ferrada: Exactly. Thank you.

Ms. Meggs, could you give us a brief answer so that I can pass some of my speaking time on to my colleagues?

Ms. Anne Meggs: I'll only mention two things, even though there are many others that need to be addressed.

I believe that a shift is beginning for immigration. Immigration occurs in two stages, with people starting out as temporary residents, and then becoming permanent residents.

For temporary residents, there are no language requirements. I would therefore like to suggest that if there is to be a new agreement between the federal government and the Quebec government, it should be a French proficiency requirement for temporary residents as soon as they arrive. That would be helpful.

It has already been suggested to the government that everyone in the process of becoming citizens of Quebec should have a knowledge of French. This would send out the strong message that to be a Quebec citizen, you need to be able to speak French.

Ms. Soraya Martinez Ferrada: Excuse me, Ms. Meggs. I've previously taken a position on this in the House. I myself am an immigrant who did not speak French when I became a Canadian citizen.

The issue under discussion is francization, but I'd be very happy to discuss this with you.

Over to you, Ms. Lattanzio and Ms. Lalonde.

Mrs. Marie-France Lalonde (Orléans, Lib.): Thank you very much, Ms. Martinez Ferrada.

I'd also like to thank all the witnesses.

My question is for Ms. Meggs.

Ms. Meggs, I'd like to tell you about a few important points from a report published by the Office québécois de la langue française, the OQLF, entitled "Indicateurs de suivi de la situation linguistique. Langues utilisées au travail". The report covers the period from 2001 to 2016.

For language used most frequently at work, the OQLF reports that in more than 20 boroughs, over half of respondents used mainly French at work. In the west and centre of Montreal Island, English is more frequently used.

Given that these trends vary from one borough to another, and that Montreal Island is anything but a homogeneous entity, how are these variations in the use of language to be addressed?

Ms. Anne Meggs: There are certainly areas of concentration. The message remains the same: ideally, conversations should be in French. It's up to francophones to stop switching into English whenever an anglophone colleague is present. According to the same data, the majority of anglophones can carry on a conversation in French.

There should also be more francization in the workplace for immigrants. Businesses should be helping immigrants who are more proficient in English to learn French.

Mrs. Marie-France Lalonde: Thank you.

I'll give the floor to Ms. Lattanzio now.

Ms. Patricia Lattanzio: Thank you.

I too would like to inform committee members that I had always, from childhood onwards, studied in English. And then, one day, I found myself studying law at a francophone university in Quebec.

I believe that it's extremely beneficial to be able to speak both of this great country's languages.

Once again, the last question is for Prof. Leckey.

[English]

With regard to the overlap of the linguistic regimes, can you—

[Translation]

The Chair: Ms. Lattanzio, you have 15 seconds left.

• (1710)

Ms. Patricia Lattanzio: Thank you, Mr. Chair.

Mr. Leckey, we spoke at length today.

[English]

about the overlap of linguistic regimes, so the last question is again for you. Can you speak to the jurisdiction of each level of government with regard to official languages?

[Translation]

The Chair: Ms. Lattanzio, I apologize once again for interrupting. I left you enough time to ask your question, but the seven minutes are up.

The three colleagues were able to speak. I have to stop you there and give the floor to Mr. Beaulieu for seven minutes.

Ms. Patricia Lattanzio: Sorry for being so inept, Mr. Chair, but since my speaking time is up, could I ask the witness to give us his answer in writing?

The Chair: Yes, of course. That's why I gave you enough time to ask your question. If the witness would like to send a brief or any additional information, we will gladly take these into consideration.

Mr. Beaulieu, you have the floor for seven minutes.

Mr. Mario Beaulieu: Thank you, Mr. Chair.

I'm going to begin with the killer question.

Mr. Leckey refers often to the Constitution. I'd like to know what the other witnesses think about this, because equality of status has never worked. The Official Languages Act came into force 52 years ago, but French has continued to decline everywhere. English remains the predominant language in federal institutions, even when these are located in Quebec.

My question is for everyone.

In 1982, the Canadian majority imposed the Constitution on the Quebec minority. The Charter of the French Language was weakened under this Constitution in all areas of application. All the federal government did was strengthen English in Quebec.

What do you think of this state of affairs? Does anyone want to field my question?

The Chair: Who is the question for?

Mr. Mario Beaulieu: It's for all three.

The Chair: Who should answer first?

Mr. Mario Beaulieu: Let's begin with Ms. Meggs.

The Chair: Okay. Thank you.

Ms. Meggs, you have the floor.

Ms. Anne Meggs: It's clear that the Official Languages Act and some parts of the Canadian Constitution have been impeding Quebec's efforts to strengthen the French language in the province.

Mr. Mario Beaulieu: If no one else wants to answer, I'll give an example.

The Official Languages Act is based on a constitutional principle that cannot guarantee the survival of linguistic minorities. In all countries that have several national languages, the only ones in which assimilation doesn't occur are those where territorial institutional bilingualism is practised. For example, in Switzerland and Belgium, there is only one common language in each designated territory. Working in the language of one's choice does not work. When someone wants to work in English but his colleague wants to work in French, what happens? There has to be a common language.

Ms. Anne Meggs: I believe that while the French language is not strong enough in Quebec, it will become even more vulnerable elsewhere in Canada. It's crucial to maintain a kind of bastion for French wherever the critical mass allows for it. Afterwards, we can point to the fact that there are francophones in other parts of Canada besides Quebec, and that under Canada's Constitution, these Francophones need support. But without a bastion of French in Quebec, it will be very difficult to ensure the vitality of French elsewhere in Canada.

Mr. Mario Beaulieu: Basically, an all-out effort will be needed to change the situation and alter federal language policy so that French can thrive in Quebec. Currently, the government doesn't want Quebec to be in charge and it continues to advocate the same principles.

Hasn't the anglicising impact of federal language policy gone under the radar for too long? Should we not be doing something to change things?

My questions are for the FTQ representatives.

Mr. Denis Bolduc: Thank you for your question, Mr. Beaulieu.

You won't be surprised to hear a director of the FTQ say that with respect to language and several other areas, Quebec needs to be autonomous. Autonomy would enable us to do a better job of protecting our language. Quebec is the only francophone territory in North America, and it is drowning in an anglophone sea.

The Quebec government is currently considering a reform of Bill 101. It's already talking about using an override clause to ensure that the courts cannot undo whatever it, as the government legitimately elected by the people of Quebec, decides.

• (1715)

Mr. Mario Beaulieu: I fully agree.

Do you think that the people of Quebec are aware of this?

I happen to be the person who brought the motion to study this issue. People have told me that they did not want the federal government to be involved in the language question. However, the federal government is already very much involved.

Take, for example, the Development of official-language communities program, which allocates \$5 million to a number of Quebec anglophone organizations, including the Quebec Community Groups Network. The Enhancement of official languages program gives them \$20 million. In 2015-2016, the total amount was \$23 million, but it varies a little from year to year. And the Official language health program provides funds for English-language training for Quebec public servants working in the health field.

Do you think that the people of Quebec are aware of all these programs, financed by Quebec taxes and federal taxes collected in Quebec, and used to strengthen English in Quebec? Are people really aware of them?

Mr. Denis Bolduc: I would unhesitatingly say that the vast majority are not.

Ms. Anne Meggs: It's pretty clear.

Mr. Mario Beaulieu: If we were to succeed in making people more aware, we could get a reaction that would help put pressure on the federal government to change its language policy.

The mere fact that the repercussions of federal language policy on the status of French in Quebec have never been studied, over a period of 52 years, demonstrates this forcefully.

Would anyone like to add anything?

Ms. Anne Meggs: You're absolutely right. Money spent promoting English in Quebec could certainly be used to help francophones outside Quebec.

Mr. Mario Beaulieu: That's right.

What we've really been talking about is institutional completeness, which means that the stronger a language group's institutions are, the more attractive its language will be.

In addition to these programs, over 38% of federal funding goes to anglophone universities. It's the same thing just about everywhere.

The Chair: Thank you very much, Mr. Beaulieu.

[English]

The last questions are going to be asked by Ms. Ashton.

You have seven minutes, please.

[Translation]

Ms. Niki Ashton: Thank you, Mr. Chair.

My first question is for Mr. Bolduc.

What, concretely, does the government need to do to ensure that Quebecers have the right to work in the language of their choice?

Mr. Denis Bolduc: The government needs to say it loudly and clearly. As I was saying earlier, the government needs to lead by example. It needs to implement measures that strengthen public servants' right to work in French in Quebec. The very idea may seem rather basic, but that's where it all starts. The government needs to set an example and introduce appropriate mechanisms.

More promotion of this right might also be a good idea to remind people that they can work in French in Quebec.

Ms. Niki Ashton: Thank you. Your message is clear.

My next question is for Ms. Meggs.

What do you feel are Canada's and Quebec's immigration needs? What should the Official Languages Act do in terms of migration policies?

• (1720)

Ms. Anne Meggs: I think these policies are already in place. I believe that trying to attract francophone immigrants has been part of the federal government's policy for a long time. It even creates some competition under the Canada-Quebec Accord.

The key factor is being able to select immigrants who already know French before coming to Canada or Quebec. That's why I spoke to you about temporary immigration just now. It's much more difficult to teach immigrants French after they come to Canada. They settle and organize as best they can; that's life, and that's human nature. The selection process is what needs attention.

Since we've been talking a lot about temporary immigration, perhaps conditions for issuing work permits ought to be added to encourage employers to think of French when they want to bring in workers from abroad.

Ms. Niki Ashton: How do you see the linguistic duality between francophones and anglophones in our society?

Ms. Anne Meggs: Is that question also for me ?

Ms. Niki Ashton: Yes.

Ms. Anne Meggs: Personally, I can't deny just how valuable it is to be able to communicate in both languages, and even sometimes more than two languages; my children speak three or four languages so well that it makes me feel inadequate sometimes. It's an asset for Canada.

So if we want this asset to remain, then it's French that needs protection. English is not in any danger because it's the international *lingua franca*. If we want to preserve the concept of two official languages in Canada for people who have a cultural background in both languages, then it's French that needs to be promoted and protected.

Ms. Niki Ashton: Thank you very much, Ms. Meggs.

I would now like to ask Professor Leckey a question.

You candidly said that French opened doors for you, and that it made you want to learn the language and speak it fluently.

Do you believe that the decline in French is linked to some extent to people's neglect of it?

Prof. Robert Leckey: I'd like to return to the suggestion I made at the beginning of my comments. French must not be allowed to fade into the background. The teaching of French as a second language needs to be promoted and encouraged at all universities in Canada. I regret today having had to work so hard to improve my French in Montreal because I had never had the opportunity to learn the language when I was in Ontario.

I think that it's essential to redouble our efforts in all of the country's provinces so that French can be taught and appreciated properly, and so that everyone can have access to French culture. Quebec's cultural wealth is amazing, but it's not necessarily transmitted to the other provinces. Sadly, Quebec's culture is sometimes given greater recognition in Europe than in the rest of Canada. It's undeniable that this cultural heritage is rich and that keeping French alive will make official language francophone communities outside Quebec stronger.

Ms. Niki Ashton: Thank you.

I'm from Manitoba, and my favourite Canadian city is Montreal. It has all kinds of admirers in the rest of Canada.

I have another question for you. How can we reconcile French and English in minority communities, without violating the rights of francophones?

Prof. Robert Leckey: I'm not sure I've understood your question. What rights are you talking about?

Ms. Niki Ashton: I'm talking about the rights of francophones.

How can we reconcile French and English in a minority context while respecting the rights of francophones?

• (1725)

Prof. Robert Leckey: I'm sorry, but I'm not sure I really understand the meaning of your question.

Ms. Niki Ashton: You mentioned universities as an example. Perhaps you could tell us how to promote French and English, whether in Quebec or elsewhere, depending on the context, by ensuring that the rights of francophones are acknowledged and respected.

The Chair: You have 10 seconds to reply, Mr. Leckey.

Ms. Niki Ashton: You could also give us your general comments about the subject.

Prof. Robert Leckey: Of course, every level of government needs to make separate efforts depending on their areas of jurisdiction. The usual expectation, in our Canadian federation, is that actions taken at each level of government need not be the same, and that they should complement one another, rather than aim at total consistency.

The Chair: Thank you very much.

That's all the time we have for this meeting of the Standing Committee on Official Languages.

On behalf of all members of the committee, I would like to thank the witnesses for having taken part and for having made such constructive contributions.

I would like to thank Professor Robert Leckey, Dean and Samuel Gale Chair at McGill University's Faculty of Law, and Ms. Anne Michèle Meggs, the former director of research at the Office québécois de la langue française, both of whom appeared as individuals. I'd also like to thank the representatives of the Fédération des travailleurs et travailleuses du Québec, Mr. Denis Bolduc, General Secretary, and Mr. Gilles Grondin, Union Advisor.

I'd also like to take this opportunity to mention to the committee members, and the people who follow our work, that the next two meetings will be in camera. In these meetings, we will be studying the COVID-19 report, which the committee members will be receiving soon.

And finally, thanks to the everyone on the technical team for their assistance.

I see that Ms. Lalonde would like to comment.

Go ahead, Ms. Lalonde.

Mrs. Marie-France Lalonde: I'm sorry, I only need 30 seconds.

Does the analyst know when we'll be getting the first version of the COVID-19 report?

The Chair: We received it this afternoon at approximately 4 p.m. The analyst will no doubt tell us whether you will be receiving it this afternoon or sometime tomorrow.

Ms. Lecomte, do you have any information for us?

Ms. Lucie Lecomte (Committee Researcher): The report is in fact ready for distribution to everyone. I'll let the clerk tell you when she's going to distribute it. I believe that you're right, Mr. Chair, and that it will be delivered this evening or tomorrow morning.

The Chair: Thank you.

Mr. Godin would like to say something.

You have the floor.

Mr. Joël Godin: Mr. Chair, at our previous meeting, we were able to get through our discussion of the news release fairly quickly. I sent you my corrections. What's the next step?

The Chair: As you know, we lose a lot of time when the meeting begins in camera and then continues publicly, and vice versa. That's why I didn't want part of today's meeting to be held in camera. The Tuesday and Thursday meetings next week will be in camera, and so we'll be able to discuss the news release fairly quickly.

Mr. Joël Godin: Thank you, Mr. Chair.

The Chair: Thank you.

I wish the witnesses a good trip home, even if they're already there. They should at least enjoy being disconnected.

Good afternoon to everyone.

The meeting is adjourned.

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