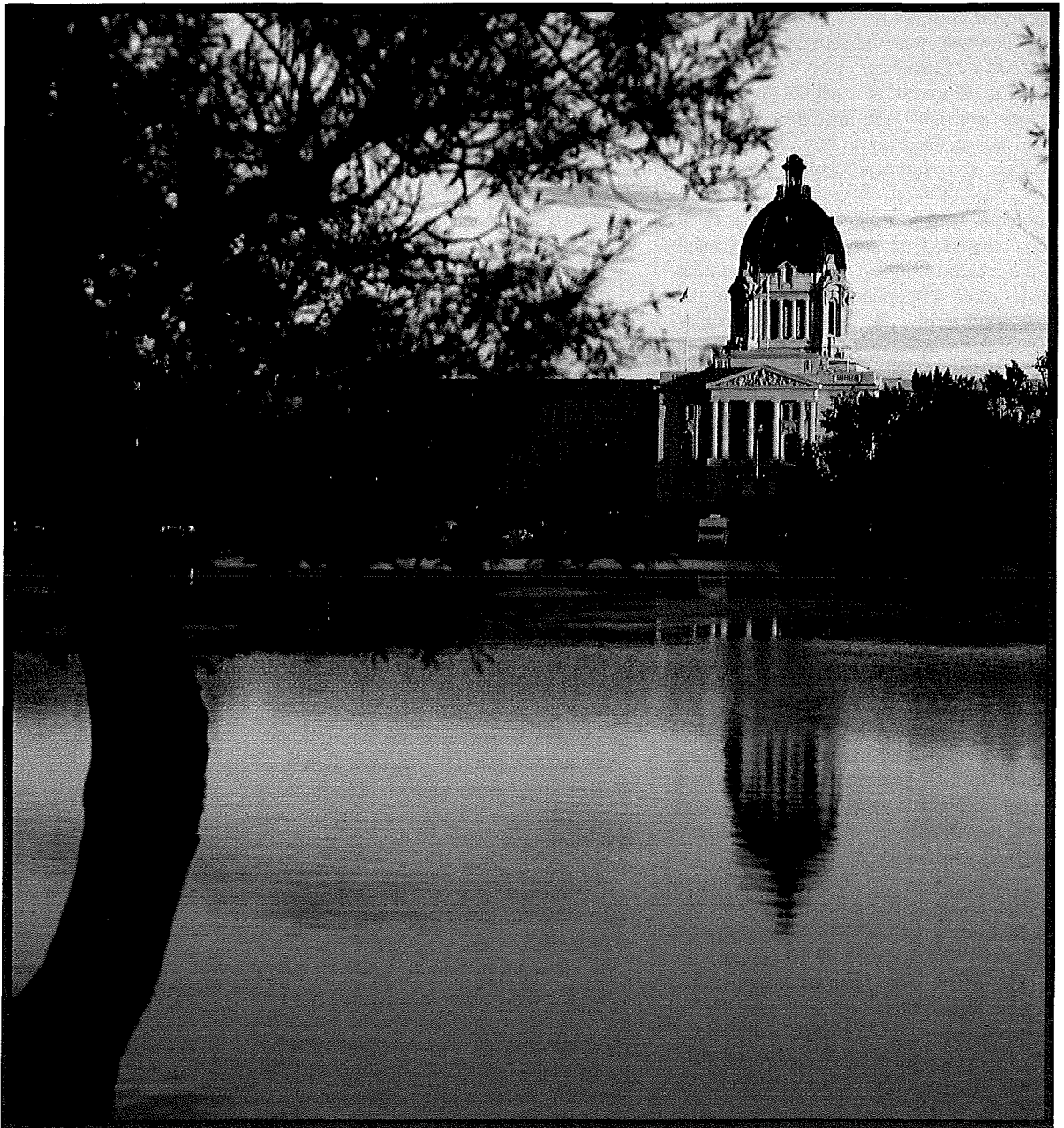


LANGUAGE AND SOCIETY



THE PM DISCUSSES THE OFFICIAL LANGUAGES

GÉRALD BEAUDOIN ANALYSES THE MERCURE DECISION

THE LANGUAGES OF BUSINESS AT BOMBARDIER

**NEW
SERIES**

Number 23, Summer 1988

Dear Sir:

I write concerning the article "Exodus and Equality" by Hal Winter, No. 21, Winter, 1987.

Contrary to Mr. Winter's understanding, the Townships were not settled by United Empire Loyalists. Sir Frederick Haldimand, the Governor General of the time, forbade Loyalist settlement in the lands along the Vermont-New Hampshire border, and ordered that the small Loyalist settlement on Mississquoi Bay should be moved into Upper Canada. Haldimand, who was a French-speaking Swiss officer in the service of the British Crown, thought it normal and desirable that the territory should be settled by "Canadiens" who would be less likely to stir up trouble with the Americans. It was not until 1791 that the Townships land was granted out in free and common socage, and American settlers flocked in; but many of those who came during the subsequent 40 years had fought for, or at least supported, the rebellion in the United States. Good land and a stable government were more important to them than the grievances of the eighteenth-century colonists.

Mr. Winter's misunderstanding is a very common one, and I would not have bothered to enlighten him, had he not used it as a basis for developing the myth, beloved of our late Péquiste government, of the elite and privileged minority in their golden ghetto. The English-speaking pioneers in this region, both American and British, found and tamed a wilderness. Even those whose connections enabled them to obtain large grants of land from the government, such as the founders of the British American Land Company who had to put a lot of money and hard work into developing means of transport and organizing the necessary infrastructures before they saw any return on their investment. Bishop's University was not "available". It was built in 1845 by 100 pioneer citizens, mostly Townshippers, each of whom subscribed £25 (the equivalent of several thousand dollars in today's money); and it was maintained and developed by English-speaking Quebecers for over 100 years, until the provincial government took over financial responsibility for the universities in the 60s. Early in the 19th century, the industrial development of the region was initiated by men like Gilbert Hyatt, who used the power of the falls of the Magog river (now in the city of Sherbrooke) to turn the machinery of his mill; and the English-speaking industrial pioneers of the Townships, like the French-speaking Beaucerons of today, were men who stood on their own feet and did not fear competition.

Finally, the "protected" ridings had long since ceased to provide English-speaking

Townshippers with any political clout when they were abolished, since the population had become French-speaking in the majority. Given the demographic developments, it was inevitable that the English-language community should lose whatever political power it had once possessed. What was not inevitable was that Townshippers whose primary allegiance is to the English language and culture should be denied the right to consider themselves to be Quebecers. This has been the position of the hard-line Péquistes; and it is noteworthy that none of their leaders grew up in the Townships, where relations between the French-language and English-language communities have on the whole been easy.

*Christopher Nicholl
Lennoxville, Quebec*

* * *

Dear Sir:

I read with interest your article "Exodus and Equality" about the Eastern Townships of Quebec. It is true that life here in the Townships has changed over the years. In 1870 the majority population of the region was English. It is not then unrealistic that institutions such as Bishop's University were established to fill the needs of the community. We still proudly boast that, except for the city of Montreal, the Eastern Townships is the only region of Quebec where you can receive an education in English from kindergarden through university.

The last census shows less than 600,000 English mother tongue residents still living in Quebec. Close to 500,000 live on the island of Montreal. Mr. Winter has summed up our feelings rather well in his closing paragraph when he says, "In the meantime, while waiting for some friendly signals of understanding from Quebec, this minority community is hungry for support and encouragement from fellow citizens across the nation."

The declaration of Quebec as a "distinct society" leaves us very nervous. Is it going to be so distinct that it is going to systematically allow its English minority to wither and die? If the Meech Lake accord in its present form is adopted and the new Official Languages Act does not come into law soon, it is not an unrealistic scenario. We anxiously await some recognition of our plight from both the federal and provincial governments and from fellow citizens across the nation.

*Heather Keith-Ryan
President
Townshippers Association*

LANGUAGE AND SOCIETY

This quarterly review is published by the Commissioner of Official Languages for all interested Canadians, and especially for social and political commentators, political and administrative leaders, educators and leaders in voluntary organizations, the private sector and linguistic communities. The review aims at reflecting the linguistic experience of Canadians and at keeping them informed of relevant major events and at encouraging dialogue.

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**Our cover:
the Saskatchewan Legislature**



**The National Gallery of Canada:
a treasure-house of granite
and light (p. 27)**

NOTICE

Letters to the Editor, with the writer's name, address and telephone number, are most welcome. The Editor reserves the right to publish letters, which may be condensed. Send to: Language and Society, Office of the Commissioner of Official Languages, Ottawa, Canada K1A 0T8. Tel. (613) 995-7717.

COMMISSIONER OF OFFICIAL
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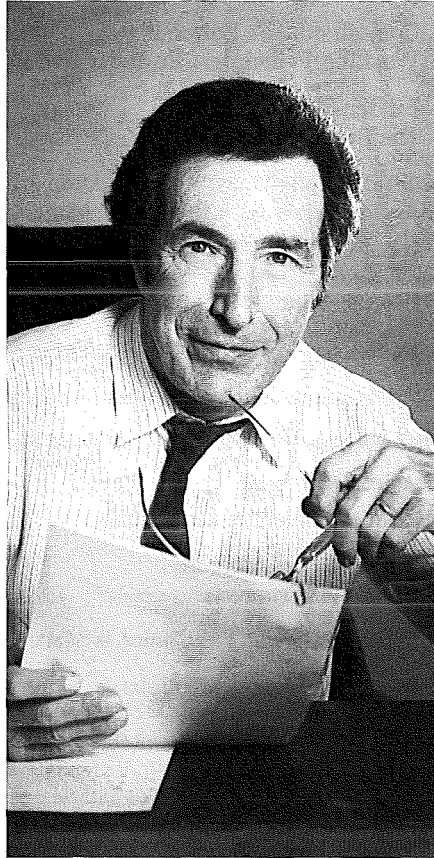
Working Principles: Equality and Fairness

D'Iberville Fortier

As this issue goes to press, in mid-April, a proposed new Official Languages Act (Bill C-72) has yet to become law.

The chances seem good, however, that a new Act will be proclaimed before long and we stop arguing about what it says in theory and pay more attention to what it does in fact. For what many people do not realize is that, all the while the debate goes on about whether such and such a provision is "fair" in law, acts of individual linguistic unfairness are happening every hour of every day. What many members of the public want to know is why this continues to happen under the present law, how Bill C-72 is supposed to change all that, and what the practical effects are likely to be. There would, after all, be small satisfaction in simply rendering the law more consistent with the Charter of Rights and Freedoms and other federal law and policy if that did not also provide a stronger basis for continuing to make English-French equality in the federal administration a fact of everyday life. To see where Bill C-72 fits in that scenario, let us quickly review the basics.

To begin at the beginning: the 1969 Act, Bill C-72 and the Canadian Constitution are all in total agreement on one point. It is, constitutionally, that "English and French...have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada". Bill C-72 and the Constitution also agree that they are "the official languages of Canada". Put simply, English and French are to be treated fairly for federal purposes, which seems straightforward enough. It is, at any rate, a proposition to which an overwhelming majority of our elected representatives have repeatedly assented. It is also the rationale for developing a public service that is "institutionally bilingual", a forbidding phrase meaning capable, as an entity, of dealing even-handedly with English



and French clients and employees. One might think that having got that far in our reasoning, it would also be clear that in a two-language system where both languages have equal rights, "institutional bilingualism" is impossible unless someone somewhere speaks *both* languages. Yet, it seems to me that much of the debate on Bill C-72 was concerned with the riddle: How many bilingual people does it take to create a bilingual institution?

I am sure that one reaction to the news that Canada was pregnant with a new Official Languages Act was simply: "Oh, not again!" And a second was probably: "What is it this time?"

How much truth is there in the rumours that Bill C-72 is a major rewriting of Canada's official languages contract? What in fact are the changes, the potential benefits, the implications

for federal employees? Well, the differences between the 1969 Act and C-72 that attracted most attention were: its possible effects on the federal judiciary; the inclusion of provisions on language of work, full participation in the Public Service and the promotion of English and French; the nature of the Commissioner's powers; and the availability of a court remedy. All of these issues were the focus of parliamentary debate and of close scrutiny by a legislative committee. Let me offer you my own answers to just two or three of these important questions.

What will C-72 do for the Canadian public, particularly in those parts of the country where serving people in either official language is hardest to do? Three things: it will help define very clearly *where* bilingual services will be available; it will make sure that they are *actively* offered; and it will try to make sure that services in the minority official language are of good *quality*. Is this some new recipe for "bilingualizing" the many parts of Canada that are predominantly unilingual English or unilingual French? Hardly. These standards of fairness – of service tailored to local needs – are already implicit in the concept of "significant demand" that is found in both the present law and in the Charter of Rights. The infrastructure already exists; the need at this point is to make it more active and more convincing. No great changes here.

Two other important questions that came up in the parliamentary debate were: what will be the extent of federal employees' right to work in either English or French, and what additional organizational changes might it entail? Or, to put it more concretely, is it true that all federal supervisors will have to be bilingual? The short answer: of course not. Ever since 1973 when all parties in Parliament resolved, among other things, that supervisors in bilingual areas should be able to deal with subordinates of either group in their preferred language, the task of develop-

ing bilingual supervision has been under way. The result, 15 years later, is that some 20,000 jobs in Ontario, Quebec and New Brunswick – and only in those provinces – are specifically required to provide bilingual supervision. Better than four out of every five of their occupants are already equipped to do that. So once again it has to be stressed that Bill C-72 is not a wild leap into the unknown. It simply gives government legal authority to complete a process that began a generation ago and which has already been shown to be both possible and useful. After all, which is more reasonable: that a supervisor be bilingual enough to handle the work of both Anglophones and Franco-phones or that all subordinates be able to handle the supervisor's language? There are enough difficulties inherent in steadily improving the application of the present Act and the Charter without alarming ourselves with outlandish scenarios. Bill C-72 is a shot in the arm for the official languages program not because it calls us to new frontiers but because it recommit us to some old but fundamental endeavours.

Two other aspects of Bill C-72 that struck some critics as dramatically new or dangerous, turn out, I think, to be neither. They do, however, complement each other in a way which reflects two of the Bill's best features: its appeal to Canadians to become part of the federal commitment to official language equality; and the opportunity it gives them and the Commissioner to seek redress when specific rights are violated. Part VII ("Advancement of English and French") reminds us how important our English-French duality is to the concept of a single Canada, how fortunate we are to share this fundamental cultural and economic richness, and how we can all play a part in its preservation and development. By outlining the various federal programs that are administered by the Secretary of State – in community support, in minority education and second language learning, and in assistance to the private sector – Bill C-72 makes the point that mutual respect among Canadians transcends the activities of government and forms an essential part of our common national culture. It was in that spirit that I repeated to the legislative committee two previous recommendations for amending the Act: the first to ensure that "privatization" of federal bodies such as Air Canada not stunt their development of service in English and French; and the second to have federal

regulatory bodies in such areas as communications or interprovincial transport use their powers to ensure equal treatment of the official languages for the public benefit. It remains to be seen whether these two points will be accepted.

Finally, a word about the court remedy provisions. The thrust is similar to that of Section 24 of the Charter, which allows anyone whose rights have been infringed or denied to seek a remedy from the courts. The effect of Bill C-72 would not be to change the Charter of Rights. Indeed, it encourages Canadians to use the present recourse to the Commissioner to resolve complaints. But, if they still feel, after the ombudsman has done his best, that a proper remedy has not been found, they can take the matter further, to the Federal Court. Depending on circumstances, the Commissioner can associate himself with complainants or act on their behalf, thus bringing the fruits of his own investigations to the case.

I see three benefits in this new device. It gives complainants a chance of obtaining a judicial ruling which will be binding on government institutions in a way that the Commissioner's recommendations are not. It gives institutions a chance to present their own position before a body whose impartiality cannot be questioned. And it imposes on the Commissioner a professional duty to ensure that his own evidence and arguments will stand up in court. Our own final recommendations in this area were mainly technical ones, to ensure that the Commissioner is not hampered in carrying out that duty. The important thing is that Part X makes it possible to bring disputes under the Act to specific conclusions and thus short-circuits some of the frustrations associated with ombudsmanship. Far from giving *carte blanche* to the views of the Commissioner, it gives everyone the benefit of "a second opinion".

In proclaiming equality of English and French for federal purposes, neither the Act, the Charter nor Bill C-72 lays claim to describing a reality. What they do is to prescribe an ideal of even-handed treatment of English and French, but one which can take account of their relative strength in specific circumstances. It shows a realistic recognition that differences of all sorts can and do exist in their standing and use in and beyond government, but in no way does the law play favourites. Nor, I trust, would it want its Commissioner to do so. ■

Annual Report 1987

D'Iberville Fortier submitted his 1987 Annual Report to Parliament on March 22. It dealt with such perennial themes as an evaluation of federal performance in implementing the Act, a description of changes in the situation of official language minority communities in Canada and their rights, and the teaching of the official languages. As well, the past year was particularly rich in linguistic news calling for comment: the new Official Languages Act, the linguistic aspects of the Meech Lake accord and the possible linguistic implications of the free trade agreement with the United States.

Some aspects of the Report caused very sharp controversy, brief references to which will be found in our press review. The Quebec National Assembly "denounced vigorously" and unanimously some of the Commissioner's remarks, and its censure was echoed in a majority resolution of the meeting of the Quebec Conservative caucus on March 26 and 27. Some caucus members went so far as to call for Mr. Fortier's resignation.

In clarification, the Commissioner deplored what he regarded as largely a misunderstanding, but maintained his right and obligation to state his views and to defend all official language minorities with equal vigour. As usual, the Commissioner will appear before the Standing Joint Committee on Official Languages to answer MPs' questions on his Report as a whole. In addition, on March 23 and 29, he appeared before the Special Legislative Committee of the House of Commons on Bill C-72.

The Bill C-72 Debate

Tom Sloan

Bill C-72: The symbol of a new spirit of tolerance and understanding in Canada and a move towards national reconciliation or a thinly veiled attack on the rights and interests of English-speaking Canadians? Both of these conflicting attitudes were given vigorous expression during the parliamentary debate in February on the second reading (approval in principle) of the new Official Languages Act. It had been seven months since the Bill had been tabled in the House of Commons.

With the official backing of the Liberals and New Democrats as well as the ruling Progressive Conservatives, approval of the Act was a foregone conclusion, and the debate itself was notable for its non-partisan nature — a fact celebrated by speakers on both sides of the House.

Despite the unanimity of the parties, the Bill's welcome on the part of Members was not unanimous. The opposition, often muted but occasionally passionate, came from a group of government backbenchers who were suspicious of several aspects of the Bill, and in some cases had queries about its goals. There was, to be sure, no explicit attack on the general concept of official bilingualism; but there were strong hints that there could be more than one interpretation of what the term should mean in the Canadian context. And there were strong suggestions that, in some aspects, the new Act goes too far, and in fact harms the interests of unilingual Canadians, whose rights, some Members recalled, are also supposed to be protected in a bilingual country.

Of particular concern were references to bilingualism in the courts, which some interpreted as an indication that eventually all judges in the criminal courts system would have to be fluently bilingual — a charge denied by government spokesmen in the debate.

Beyond the legal system, the critics took exception to provisions which, they claimed, would tend to penalize Canadians fluent in only one of the official languages, most specifically those seeking either positions or advancement in the federal employ.

Twenty-six MPs took part in the debate leading to second reading of the Bill. While one of 13 full speeches was

made by an opponent of the Bill, half-a-dozen other Members intervened with questions or comments following the speeches of their colleagues supporting the measure.

Respect and equality

Setting the tone both for other cabinet members and for the spokesmen of the other parties was Justice Minister Ray Hnatyshyn, who introduced the new Act. The Bill, Mr. Hnatyshyn said, was designed "to take into account the fundamental elements of our language policy as it has evolved over the past 120 years, and to allow us to meet the changing needs of Canadian society. I am confident that this Bill is an accurate reflection of Canada's linguistic reality." Its aim was to ensure respect and equality of status of the two official languages by all federal institutions, most specifically in providing services to the public, to support the development of official language communities and to foster the advancement of both languages throughout Canada. Hailing the legislation as "an important element in our efforts to effect national reconciliation" — a point echoed by other government speakers — the minister stated that the "Bill reflects the open-mindedness and tolerance of Canadians in matters of languages and culture. This generosity of Canadians towards each other is one of the most endearing features of our national identity".

Speaking for the Liberals, Opposition Leader John Turner and Jean-Robert Gauthier (Ottawa-Vanier) sounded a common note of praise both for the legislation and the government's decision to proceed with it.

Praise and support

For Mr. Turner, the Bill was triply welcome: "...the time is right, the subject is right, and the content is right. Now is the time to...consolidate and enhance" the 1969 Act. The subject was right in terms of giving "flesh, teeth and specific meaning" to both the 1982 Charter of Rights and Freedoms and to the Meech Lake accord. As for content, Mr. Turner called it a perfect fit with past Liberal Party traditions.

For Mr. Gauthier, the Bill was "much more than a cosmetic job. It is a major facelift....We are working toward bond-

ing our people in respect and love rather than separating them in fear and hate." Mr. Gauthier's only criticisms involved the exemption from the Act of the Supreme Court and some perceived ambiguities in its application to Crown corporations and federal-provincial relations. Basically, however, the Liberal Member liked what he saw and urged quick adoption of the Bill.

Except for some reservations about what they perceived as remnants of paternalism in the treatment of the Yukon and Northwest Territories, NDP speakers were also enthusiastic. Marion Dewar (Hamilton Mountain) had little but praise for the government's "courage and strength" in pushing ahead with the legislation: "this is one time the government has done something which we can all certainly support." Words of encouragement also came from Cyril Keeper (Winnipeg North Centre) and Ernie Epp (Thunder Bay-Nipigon).

Not surprisingly, the Bill also received accolades from the ministers who spoke, including Bernard Valcourt, Minister of State for Small Business and for Indian Affairs and Northern Development and Secretary of State David Crombie. Apparently in response to criticism from within the government caucus, Doug Lewis, Minister of State for the Treasury Board, was willing to admit shortcomings. "No Bill is perfect. We may not have fully achieved our goals. Some of our efforts may have fallen short of the mark....we may not have used the most precise language possible.... Nevertheless...I do not sense that our efforts are being rejected out of hand." Mr. Lewis noted that, even under the new Act, bilingualism within the Public Service would be far from universal, and that service to the public in its language of choice would always take precedence over the right of the employee to choose his own language of work. Mr. Hnatyshyn met some criticisms by giving assurances that regulations designed to make the legislation more precise might be submitted to a Parliamentary Committee.

The critics

His assurances did not, however, resolve the doubts of several backbench colleagues, who were not shy in proclaiming their opposition to the whole project. The only one who spoke at any length was Ron Stewart (Simcoe South), who had earlier signaled his feeling by resigning as Parliamentary Secretary to the Minister of Supply and Services. Referring to the Bill

as an "unfair piece of reverse discrimination", Mr. Stewart contended that one result of its passage would be to make Anglophones into second-class citizens through language discrimination. Eventually it would mean that "an ability to speak both languages will become a prerequisite for all jobs in Canada." The promotion of bilingualism in education was, however, quite acceptable. "Put it in the schools, but do not jam it down our throats through a Bill that takes away people's rights."

The target for Alex Kindy (Calgary East) and Bill Domm (Peterborough) was the Bill's provision that all criminal court systems should have the capacity to hear a case in either official language. This could well mean that there would soon be no place for any unilingual judges anywhere, they insisted.

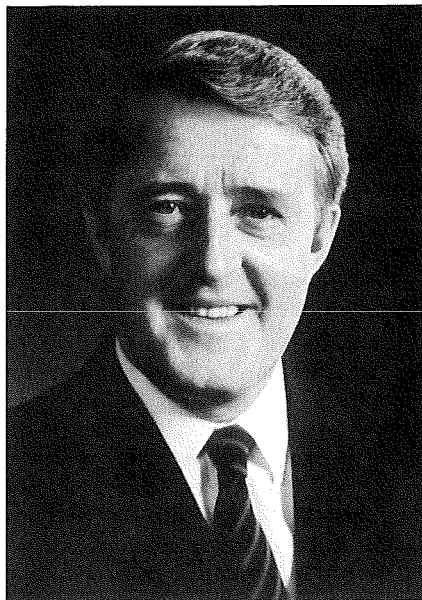
For Dan McKenzie (Winnipeg-Assiniboine), both this Bill and the 1969 Act discriminate against non-French-speaking Canadians. "I have acted on behalf of many English-speaking Canadians who have been denied promotion and employment because of the discriminatory language laws in this country...French Canadians have special promotional privileges," the Member said.

Another target for several opponents of the Bill was Quebec's Charter of the French Language which, they said, makes a mockery of bilingualism in refusing to allow English commercial signs in the province. On this point, they received support from at least one Montreal defender of the Bill, Liberal Warren Allmand (Notre-Dame-de-Grâce-Lachine East). Following a vigorous defence of both the new Act and the Meech Lake accord's reference to Quebec as a distinct society, Mr. Allmand said: "I must say that with respect to the signs law, I am extremely disillusioned and disappointed with the present policies of the Quebec government." He asked all provinces, including Quebec, "to follow the example we are setting here."

Following second reading in mid-March, a Special Committee of the House of Commons was appointed to go into details of the Bill, and to hear comments from groups outside Parliament, both for and against the legislation. Opposition members were critical of the fact that four out of five government members had expressed serious reservations about the Bill before the hearings began. Parliament adjourned for the Easter recess, with hearings scheduled to continue on its return. ■

Official Languages: Reconciliation and Tolerance

Bill C-72 will be part of Canada's linguistic and cultural makeup. The Bill is one of a series of federal government initiatives aimed at furthering national reconciliation. Several points distinguish it from the 1969 Act. Which ones? The Prime Minister of Canada was pleased to respond in writing to our questions.



Language and Society: *What do you think the Official Languages Act has achieved?*

The Prime Minister of Canada: The language situation today is very different from what it was back in 1969. Official languages as a policy has been an accepted fact of life in Canada for almost 20 years. Most Canadians feel that our two official languages are an important part of our national identity and of contemporary Canadian society — look at the popularity of French immersion right across the country. In fact, much of what appeared to be new and threatening some years ago is now being taken for granted. From the perspective of administrative fairness our country has gone a long way toward

achieving the principle of equality frequently referred to by the Bilingualism and Biculturalism Commission. In fact one could claim that Canada has gone beyond the present linguistic legislative framework. The time has come to confirm and consolidate official languages policies and practices that have developed over the last 20 years.

— *Why did the Government introduce the new Bill and what distinguishes it from the 1969 Act?*

— This Bill is one of a series of initiatives taken by the Government in keeping with its promise to promote national reconciliation, which is one of our top priorities. This commitment was made in the 1984 Speech from the Throne and reiterated in the 1986 Throne Speech.

In the absence of a new Act, the Courts would be left without any legislative guidance to interpret the official languages provisions of the Charter.

The following points distinguish C-72 from the 1969 Act:

- a preamble stating the Government's commitments to official languages;
- measures to ensure better access to our justice system in the two official languages;
- ready availability and visibility of bilingual federal services and communications;
- recognition of the right of Canadians to work in their own official language in federal institutions, in accordance with the linguistic



responsibilities of those institutions;

- recognition of the principle of full participation of English-speaking and French-speaking Canadians in federal institutions;
- a commitment to enhance the vitality of official language minority communities and to promote the official languages in Canadian society;
- federal co-operation with the provinces, and the private and voluntary sectors, to provide and extend bilingual services;
- a legislative framework setting out the powers and co-ordinating role of the Secretary of State in promoting official languages and providing support to official language minority communities;
- confirmation of the policy role of Treasury Board and recognition of its mandate to monitor the implementation of the legislation in federal institutions;
- strengthens the role of the Commissioner of Official Languages;
- a new judicial recourse that complements the Commissioner's existing complaints procedure and allows more effective enforcement of the Act;
- the primacy of rights and obligations under the proposed legislation over conflicting federal legislation.

— *What is the message?*

— This Bill is about many things: it is about our historical continuity together on the northern part of this continent. It is about our linguistic duality, and our pluralist perspective on the world. Most of all, it is about tolerance.

— *How do you relate this Bill to other aspects of your legislative program?*

— In 1984 we committed ourselves to national reconciliation. The most important element of this commitment, no doubt, was the promise to fully reintegrate Quebec into the Canadian constitutional family. For the Government, national reconciliation and national unity are based on enhanced federal-provincial co-operation in the economic and social areas and on greater support for minority language communities. The Meech Lake accord allows us to achieve the objective of Quebec's return to the fold. In addition, our Constitution will recognize Canada's linguistic duality as a fundamental

characteristic of the Federation, and will affirm the role of Parliament and the provincial legislatures in protecting this characteristic. Bill C-72 builds on this foundation. It clearly establishes that Parliament and the federal Government will carry out their responsibilities, both by protecting and promoting linguistic minorities within areas of federal jurisdiction and by encouraging other governments and a growing number of private organizations to do the same.

— *What do you think the future holds in store?*

— No aspect of Canadian public policy is more vital for the unity of this country. I strongly believe that Canada today is much more understanding than 20 years ago. This is most evident and most heartening in the attitude of our youth. During the two decades since the adoption of the first Official Languages Act, Canadians themselves have strongly contributed to reinforcing the linguistic richness of their country. Bill C-72 is about nation building: nation building which began in the time of Macdonald and Cartier and which continues to this day.

— *How important is federal-provincial co-operation?*

— The structure of the Canadian Federation is such that in order to achieve our objectives on important national issues, co-operation between the federal and provincial governments is necessary. That is why the Government, since 1984, has striven so intensely to diminish the tensions between the federal government and the provinces, and between the country's various regions. To this end, when the Bill was tabled we announced that the Government would undertake major initiatives, in collaboration with provincial and territorial governments, to encourage them to provide key provincial, territorial and municipal services in the language of the minority. The Government has allocated an additional \$25 million for this purpose over the next three years. We have already signed a framework agreement with New Brunswick on the promotion of official languages, and discussions are going well with other provinces. Already, specific projects are underway, notably in Prince Edward Island, Ontario, Nova Scotia and other provinces.

— *Do you think our current spending on the official languages is in line with the objectives of the new legislation?*

— We recently reviewed the costs associated with the Secretary of State's new mandate for the advancement of the French and English languages. As a result, additional funds were committed to federal-provincial co-operation in the area of language services. We are not talking about promoting "bilingualism" in the abstract. We're talking about "hard" services to minority communities in areas crucial to their development — social services, hospital and medical care, justice. Minority communities, throughout the country, will be the direct beneficiaries. We have also just renewed for another five years the Official Languages in Education Program and the Promotion of Official Languages Program at Secretary of State. The highest priority was given to the funding of these two programs of the utmost importance to the whole renewal thrust. ■

The PM on Equality of the Official Languages

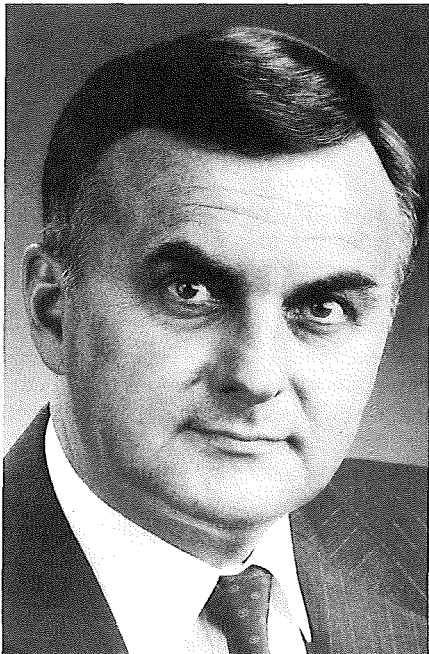
While questions were being raised in the House of Commons on April 11 about Saskatchewan's proposed language legislation, the Prime Minister declared: "I think that the Premier of Saskatchewan should do what, for example, the Premier of Ontario should do, and the Premier of Quebec, and the Premier of British Columbia, and everyone, which is to ensure absolute equality and perfect protection with fairness for every citizen before the law in Canada. That is what I believe should be done. That is my vision of Canada and a perfectly bilingual society. I know it is not for tomorrow, I know we are not going to get that tomorrow no matter how hard we try. What is important is to build on the progress and the attitudes that do exist."

A few moments earlier, he had told the Commons: "Language problems will always be there to upset us, to trouble us and also to divide us. We must show maturity, leadership and generosity in dealing with these issues.... There is only one way to protect minority rights in this country...and that is to entrench them in the Constitution." ■

What Members of Parliament Think

Editorial Note: *The philosophies that dominate the House of Commons have one thing in common: they share the belief that Bill C-72 is a landmark — one of many — that will enable Canada to affirm its identity while respecting its minorities and its cultural diversity. Only a handful of members have their doubts, fearing, for example, that the new Official Languages Act might forever close the doors of the federal Public Service to unilingual Anglophones. To reassure the MPs who are strongly critical of the Bill, a new, section-by-section examination is required. We have assembled below some quotations, taken from the official record of debates in the House of Commons, concerning Bill C-72. We apologize to the speakers whose views we could not reproduce here for lack of space.*

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada)



"The reform of the official languages policy had to be undertaken. Parliament has a duty to bring the provisions of the Official Languages Act of 1969 into line with the Charter of Rights and Freedoms.

"The renewal of our language policy

is intended for all Canadians. It provides for the needs of the majorities by guaranteeing government services for them in their own language. In addition, it recognizes the aspirations of minorities, who have often expressed a desire, and rightly so, to live and prosper using their own language. This Bill reflects the open-mindedness and tolerance of Canadians in matters of language and culture. This generosity of Canadians toward each other is one of the most endearing features of our national identity.

"Bill C-72 reaffirms another important initiative of the Government—the enhancement of the vitality of the English and French linguistic minority communities of Canada and the advancement of the status and use of the official languages generally in Canadian society."

Mr. Ron Stewart (Simcoe South)

"If Canadians do not believe that it will change the face of Canada judicially, as has been pointed out, the supervisory capacities in the Public Service, the private sector, and by a dictatorial language tsar who is above the law, then they do not believe that Wayne Gretzky plays hockey or that the NDP Leader from Oshawa is or was Vice-President of Socialists International."



Mr. Jean-Robert Gauthier (Ottawa-Vanier)

"...let me deal with the role of the Commissioner of Official Languages. Indeed, over the years he has been the language ombudsman. His role in Bill C-72 is being clarified. His powers are greatly extended and he will have a very active part on his own or on behalf of a complainant in applying to the Federal Court for a remedy to an alleged violation of the Act. This gives the law the needed teeth, the executory powers to ensure compliance with the law. I welcome this disposition.

"The Commissioner will also be able, under the law, to look into complaints arising out of provisions of other federal laws and to review any regulations or directives of the Government made under the Act."

Mr. Richard Grisé (Parliamentary Secretary to the Deputy Prime Minister and President of the Privy Council)

"Madam Speaker, I wish to thank my colleague for Calgary East (Mr. Kindy) for his interest in the official languages. First, as concerns the judges of a federal court, whether in Alberta or in another province, the important thing is to be able to provide judicial services in the language of choice when it is requested. This does not mean that we have to require that all judges of all federal courts throughout the province be perfectly bilingual." →



Mrs. Marion Dewar
(Hamilton Mountain)

"I am pleased that this legislation is before us. We have probably taken three steps in this regard. The first step was in 1969 with the first Official Languages Act. The next step was in 1982 when once and for all the rights of both cultures and languages were recognized in the Charter of Rights and Freedoms, and soon we will have a very strong law to protect both languages. Certainly society will recognize the fact that it is not whether it is French or English, but it is because it is French and English which gives our country its strength and beauty. As we live with this legislation it will make more sense and legislators and public servants will automatically address the delivery of their services in both languages."

Mr. Cyril Keeper
(Winnipeg North Centre)

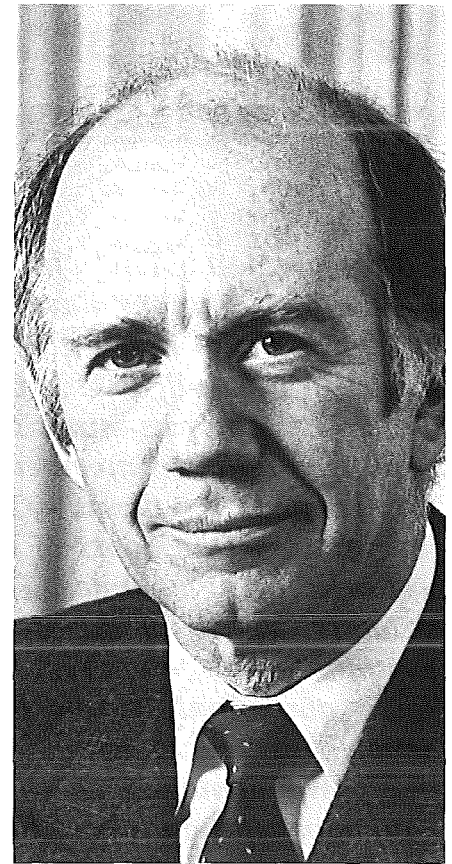
"The Official Languages Bill is an historic development because it means the end to social prejudice which gave rise to comments such as 'speak white' to French Canadians and gave rise to an attitude that somehow French Canadians were less than equal to English-speaking Canadians. It means an end to prejudice and discrimination which led to some powerful and articulate poetry based on those attitudes."



Right. Hon. John N. Turner
(Leader of the Opposition)

"The magazine, *Western Report*, is carried throughout our western provinces. It had on its latest front cover a sentence in French which read: 'If you can't read this, you can't work for the federal Government.' That is simply not true. That it should be written and widely distributed in the current climate of this country, I think, is a shame. The Government knows that is not true and it should be telling Canadians that it is not true. I hope the Secretary of State when he gets to his feet, will say so. The truth is that thousands of Canadians can read those lines in French because of the progress which has been made in the last 20 years.

"I said that the time is right, Madam Speaker, the subject is right, and the content is right. I urge all Members of the House to support the Bill, and send it to committee. There may be amendments proposed. As one who has the honour of holding a seat in western Canada, I particularly appeal to those Members who may have some reservations about the Bill to recognize the progress we have made since the early 1960s in recognizing the dual nature of our linguistic heritage, the understanding that that gives to us and the tolerance that it reflects, which make our federal system work."



Hon. Warren Allmand
(Notre-Dame-de-Grâce-Lachine East)

"The Bill before this House is an excellent Bill. It moves to protect English and French speaking language minorities in Canada. I hope that we pass the Bill and that we pass it quickly. I would ask those provinces out there in the country that also deal with language minority groups, whether the English language minority in Quebec or the Francophone minorities in Ontario, in the Atlantic Provinces and in the west, to do likewise as we are doing here today in this House, namely, to follow the example of this Parliament, this Government and the previous Government and protect the minority language groups in Canada as they should be protected and as the Constitution of Canada has pointed the way."

The same fairness that we are attempting to provide at the federal level must also apply in provinces. That is why I said I hoped Ontario one day will opt in totally to the constitutional provisions in the Constitution Act of 1982. That is why I ask Quebec to follow the example that we are setting here.

"We passed the Meech Accord. Let Quebec respond in like kind and pass legislation that would take away those repressive parts of Bill 101."

**Mr. Joe Reid
(St. Catharines)**

"Mr. Robichaud comes from a bilingual province and, even though he talks in terms of being an Acadian speaking French, he points out difficulties in making his way through life and reaching the great status that he now holds.

"Does the Hon. Member think that this Bill will alleviate the problems that he experienced growing up in New Brunswick in his ordinary way of life? Is this Bill not more related to the delivery of services rather than getting down to the level of person to person and people meeting in the street?"

"When the Hon. Member makes his response, I ask him to consider the most unilingual piece of legislation in the country, that is, Bill 101 in the Province of Quebec, and what deterrent does this have in making people feel at home in different provinces where minorities live and work?"



**Hon. Chas. L. Caccia
(Davenport)**

"This Bill puts forward a basic concept which has not only been accepted but supported in recent decades by Canadians all across the country. This Bill recognizes a cultural and linguistic reality. The Minister has made some very good points in advancing the merits of this Bill which deserve the support of his own back-benchers.

"Therefore, I hope that his back-benchers listened carefully and will not come forward with notions of cost as the Hon. Member for Winnipeg did, as though to him dollars are more important than the national fiber and the cultural and linguistic values of the country."



**Hon. David Crombie
(Secretary of State of Canada)**

"The Bill as it relates to the Ministry of the Secretary of State is very important. It deals with the encouragement, the recognition, the use and the learning of two official languages. It also deals with the support of official language communities. We do that in deliberate, constructive ways. For example, through agreements since 1980 with provinces and territories, we support educational programs and services for English-speaking Quebecers and for Francophones outside the Province of Quebec.

"The time has come to offer Canadians throughout this country a better chance to develop their potential in their own official language.

"The Government is committed not only to strengthening the official languages in Canada, it also understands that in doing so, there is something greater at stake and that is the fundamental proposition that we must continue to support the development of the community of Canada. We can only do that when we rise to the challenge and recognize that being Canadian means we should continue the tradition of two official languages and move forward."

**Mr. Fernand Robichaud
(Westmorland-Kent)**

"We must also recognize that the amendments to the powers of the Commissioner of Official Languages are also very important. His increased powers will make the legislation enforceable. People will be able to go to court, something they could not do until now. I suggest this is also very important."

**Mr. Ernie Epp
(Thunder Bay-Nipigon)**

"Bill C-72 allows us to explore ways in which the Official Languages Act of 1979, which was supported by all Parties in Parliament and enhanced by the Charter in 1982, can be strengthened. This includes explicitly addressing the question of cost in accomplishing this goal. Undoubtedly there is a cost attached, but we should be capable of recognizing that governments make decisions that cost money. The argument that an expenditure must be carried out is not valid because countries spend money in various ways to enhance the unity and strength of a nation. In terrible circumstances, countries are forced to make expenditures to suppress minorities or maintain forces of occupation."

**Mr. Alex Kindy
(Calgary East)**

"Can the Parliamentary Secretary tell the House whether he believes that, within five years, every court in Canada except for the Supreme Court will be bilingual and that judges, even in Alberta or in Manitoba, will have to understand French perfectly, or does he think that this will not happen? That is my first question."



**Mr. Charles Hamelin
(Charlevoix)**

"From the outset I should like to say that Bill C-72 is one of the major components of the over-all proposition made by this Government in terms of unity and national reconciliation. Since the Meech Lake Accord did acknowledge the existence of two linguistic communities in this country, it is important to point out the federal Government's commitment not only to acknowledge this linguistic duality but also to promote it throughout Canada." ■

Press Review: Bill C-72

One of the more common descriptions of the new Official Languages Act during parliamentary debate on second reading was that it has teeth. The same can be said for some of the Bill's critics among those writing in newspapers and magazines, especially in Western Canada.

Among the milder of them was Fred Cleverley of the *Winnipeg Free Press*: "Anyone who thinks that the Liberals were trying to shove French down our throats should take a close look at what the Conservatives want to do in Bill C-72....To say that the official

*A bare minimum for an
officially bilingual
country*

languages legislation has been strengthened would be to understate the case." According to Mr. Cleverley, the new Act will mean that all federally appointed judges will soon have to be bilingual, as well as most if not all those in supervisory positions within the Public Service. As for the new powers of the Commissioner of Official Languages, "So far no one is calling the Commissioner's office the headquarters of the language police, but it may well become one after Bill C-72 is passed."

Somewhat sharper in tongue was columnist Doug Collins of Vancouver's *North Shore News*: "Mountains of extra money are to be poured into this social disaster to satisfy Brian Baloney's insane desire to extend the French language grip on this country...the chief language cop is to have near-dictatorial power in forcing his will by means of C-72." In another column, Mr. Collins referred to the Bill as "a major atrocity" brought in by "those plotters in Ottawa." He concluded: "We peasants in English Canada are facing a kind of new Norman Conquest. Will we take it lying down?"

Writing in *Western Report*, a weekly magazine, publisher Ted Byfield had his own scenario, involving a prediction that, once the new Act has been in place for a while, most federal public servants will be Francophone Quebecers. The result: "The populace will be seething and smarting as it pays for bureaucrats who communicate with one another in a language which close to four out of five Canadians cannot understand." The solution, he suggested, is political. "So what do we do? It's actually very simple. Any Tory prepared to oppose the Bill we should reelect. Any Tory not prepared to oppose it we should replace with a representative of the Reform Party of Canada."

Ten federal Cabinet ministers from the West signed a letter accusing *Western Report* of exaggeration and inaccuracies in its story on Bill C-72. They said the magazine had raised unnecessary fears and created division in its reporting and analysis of the proposed language law. The ministers who signed the letter were Don Mazankowski, Joe Clark and Harvie Andre of Alberta; Pat Carney, Tom Siddon and Frank Oberle of British Columbia; Jake Epp and Charles Mayer of Manitoba; and Ray Hnatyshyn and Bill McKnight of Saskatchewan.

Other writers held different views. To the Saskatoon *Star Phoenix*, the Bill offers French-speaking Canadians a bare minimum for an officially bilingual country. "The manner in which the intent of this legislation has been deliberately skewed by some critics is nothing short of shameful and should be loudly denounced, particularly in the West where the scare-mongering has appeared to be the strongest."

For the *Edmonton Journal*, Bill C-72 strives to realize the ideal of Canada as "a country built on tolerance and compassion." For its parliamentary opponents: "Tory backbenchers who oppose the Bill are fighting battles settled a generation ago. Theirs is a distorted view — one in which 'fairness' is defined as the absence of one of Canada's official languages. It is a perception the Prime Minister should dispel."

A similar view of the Prime Minister's duty was taken four provinces away, by Paul-André Comeau, director of Montreal's *Le Devoir*. After suggesting that the Tory dissidents do not really represent Anglophone opinion today, Mr. Comeau wrote: "It is now up to the Prime Minister himself to sound the end of recess and to make his rebel MPs see reason....The Conservatives cannot afford to procrastinate on such a fundamental question. This, surely, is clear, given the errors committed by this same party since the end of the last century."

*A country built on tolerance
and compassion*

Another reference to history came from *Globe and Mail* columnist Jeffrey Simpson: "The dissidents are certainly welcome to try to turn back the clock. If they succeed, the Conservatives will be welcome to the fate they received under leaders such as Arthur Meighen, John Bracken, George Drew and John Diefenbaker."

While admitting that bigotry can raise its head anywhere, including Quebec, Jacques Dumais, writing in Quebec's *Le Soleil*, has only scorn for the critics: "But their claim today that Bill C-72 makes unilingual Anglophones into second-class citizens...goes beyond the bounds — especially from government supporters who are part of a culture that has such crushing superiority in North America and of a political party which gained power in 1984 thanks to Francophone Quebecers who believed in its promise of national reconciliation."

There were sharp words both for the critics and for the Prime Minister from the pen of editorialist Rino Morin Rossignol of Moncton's *Le Matin*. "By taking their own government hostage, these two dozen MPs are harming the very democracy they have the mandate to protect....In fact, they are cheating by trying to make their ethnocentric prejudices appear as democratic virtues." The Prime Minister was criticized for the temporary withdrawal of the Bill for re-drafting after second reading. "Is his leadership so weakened among his own caucus that he has to reconsider his own convictions?...After having proclaimed himself the champion of national reconciliation...can he today, in all decency,

waste his time in converting some obtuse Members to the 'advantages' of his 'generous' vision...?"

The intrusion of Quebec's Bill 101 into the debate caused some ink to flow, but did not change the course of the debate.

The *Toronto Sun's* Ottawa columnist, Joe O'Donnell, said that, although they have lost the bilingual war, the Tory dissidents did raise an important question: "At the same time as the rights of Francophones are being strengthened in English Canada, the same rights of Quebec's Anglos are being trampled....Quebec's Anglos have become second-class citizens in their own province and their own country."

To Jack Branswell of the *Sherbrooke Record*, regardless of motivation opposition by the dissidents to Quebec's language laws should be welcomed. "It seems no one else except for the occasional English-speaking Quebec MP has ever given a damn about what happened to us. While it would not be difficult to dismiss their interest as 'politically' motivated, we English Quebecers have to take this sort of thing wherever we can get it." Nevertheless, Mr. Branswell cautioned, it would be wrong to tie Francophone rights outside Quebec to the internal Quebec issue.

On this point, the *Montreal Gazette* agreed: "Bill 101 is absolutely not a reason for pulling back on the federal commitment to advance minority language rights in every area in Canada, including Quebec. On the contrary, it is a reason to press ahead." T. S.

The Critics

Shortly after the debate on second reading of the new Official Languages Act, a group of Progressive Conservative backbench critics of the measure submitted a nine-page document titled "Bill C-72: Proposal for Re-evaluation" to the government. It called for sweeping changes to the legislation.

Starting from the premise that there are two visions of a bilingual Canada one in which a majority of citizens have the right to remain unilingual without prejudice to their careers and a second pushing for "the bilingualization of all Canadians" — the group rejected large portions of the new Act as essentially espousing the second option.

In general terms, the critics called for removal of all references to the promo-

tion of bilingualism, calling instead for the preservation of the rights and freedoms of the unilingual public "without discouraging the efforts of individuals to learn the other official language."

The most important specific changes suggested were:

- Members of the Senate and House of Commons be explicitly exempted from the requirements of the Act.
- All references to the expansion of the powers of the Commissioner of Official Languages be eliminated.
- All references to enforcement through the Federal Court be deleted.
- The bilingual requirement for judges be clarified and limited.
- The definition of "significant demand" for services to be provided in the minority language be 10% of the population of the area in question.
- Discrimination on the basis of unilingualism be outlawed.
- English be the normal language of work outside of Quebec, New Brunswick and specified counties in Ontario.
- English be the normal language of work in the National Capital Region unless the position, section or department is designated bilingual or French-essential by the government.
- English be recognized as the working language for units of the Armed Forces "which would directly or indirectly participate in combat" in a case of war.
- The section giving primacy of the Act over most other legislation be deleted.
- The section referring to a government commitment to the advancement of English and French be eliminated. "Simply put, the advancement of the official languages should never be the responsibility of the government."

Group Reactions

While the House of Commons was the focus of attention during the debate on Bill C-72, other groups outside its precincts were having their say as well.

A survey of the reactions of different national and regional organizations to

the Bill, as reported by the nation's press to the end of March, is a reminder that, despite the pronounced softening of attitudes detected by recent public opinion surveys, among some sectors of the Canadian public at least polarization remains alive and well. The number of Canadians holding extreme opinions on the subject of official bilingualism may have declined, but the vehemence of those remaining is still unaffected.

Among the strongest supporters of the project are the two groups claiming to represent the two official minorities, Alliance Québec (AQ) and the Fédération des Francophones hors Québec (FFHQ).

Both associations hailed the Bill as a major step forward in guaranteeing the rights of linguistic minorities. FFHQ President Yvon Fontaine called for the law to be passed as quickly as possible, while AQ president Royal Orr said that, despite a few flaws, "The overall direction of the Bill is correct." As for MPs who cited Quebec's language act as a reason for opposing the federal law, the Alliance president commented: "They are not helping us....The new Official Languages Act is very important to English-speaking Quebecers."

At a time when it was still unclear when the debate was going to proceed, the FFHQ president accused the federal government of putting the whole concept of bilingualism in jeopardy. "The government's lack of action is all the more frustrating, considering that it is the Francophones outside Quebec who were the big losers as a result of the Meech Lake accord."

Blaming "a handful" of right-wing government backbenchers, Mr. Fontaine went on to ask, during an Ottawa press conference: "If this recalcitrant element is all that is holding things up, we must wonder who is running this government?" He pleaded for support from parliamentarians of all parties "who see in *la Francophonie* a basic element of Canadian specificity... as free trade approaches."

At the other end of the spectrum is the Alliance for the Preservation of English in Canada (APEC), which proclaimed in a large newspaper advertisement that "racism runs rampant on Parliament Hill." According to APEC, "Bill C-72 is racist legislation for the promotion of the French language — French people — French culture." Among the effects of the law, the group predicted that 600,000 government and government-related jobs would be classified as bilingual and that the program



would require the expenditure of billions of tax dollars. "The Meech Lake accord plus the Official Languages Act will lead to the Francization of Canada."

Backing for the APEC view came from Grassroots Manitoba, whose president, Grant Russell, called the Bill "a central Quebec oriented linguistic policy based on the political power of Quebec." It betrayed "a lack of consideration of the sensibilities of Western Canada, which is multi-cultural but primarily unilingual." Furthermore, the project was a boost to separatism and would contribute to alienation among Canadians.

Another Anglophone group, the little-known National Association for English Rights (NAER), said the new Bill will cause "cultural" genocide for Canada's Anglophones.

According to NAER president James Godkin, Canada is a country in which "the supremacy of the English language and heritage was established by right of conquest."

Support in principle for the Bill came from the Northwest Territories Legislative Assembly, with one caveat. The Assembly passed a resolution condemning the section of the Bill which would require parliamentary approval to any changes in the Territories' own language legislation. The clause is "repugnant, paternalistic and colonialistic", in the words of Yellowknife MLA Ted Richard, who sponsored the resolution. T.S.

A Dialogue of the Deaf

(Extracted from Hansard, February 9, 1988, p. 12774.)

Mr. Malépart: Can the Hon. Member tell us how come he is so dead set against Quebec's Bill 101 and yet does not say anything about the other provinces, about MLAs like those in Alberta who dare not speak French lest they be dragged before the court?

* * *

Mr. Stewart: How would we expect the people of Alberta to ever countenance bilingualism in the Alberta government on the strength of what has happened in the province of Quebec with Bill 101?...

Decisions in Favour of Francophone Minorities

Jacques Robichaud

In Nova Scotia and Saskatchewan, the courts have made a difference.

On January 14, Mr. Justice Doane Hallett of the Supreme Court of Nova Scotia issued a temporary order in the case of the Cape Breton Committee for French-language education. At that time, the Court ordered the Province of Nova Scotia to prepare a French-language instruction program for next September for pre-school classes to grade eight. It ordered the Cape Breton District School Board to designate an appropriate educational institution accessible to students eligible under the Charter of Rights for instruction in the minority language. The School Board must conduct a survey of the 245 people who replied to a questionnaire that produced inconclusive results as to the number of children in the district who would take advantage of a French-language program offered in an institution separate from that where the English-language program is offered.

The School Board therefore had to arrange, by March 30, for the students' enrolment, under provincial supervision, in order to enable the Department of Education to determine objectively how many students were likely to avail themselves of French-language education. In this regard, the Board had to announce in the media that it planned to open a French-language school within its area in September 1988, in accordance with the requirements of Section 23 of the Charter, and that students could accordingly be enrolled during a 10-day period.

Lastly, the Attorney General of Nova Scotia and the Cape Breton District School Board were required to make a report on this undertaking to the applicants and to the Court by April 30, at which time Mr. Justice Hallett would determine whether there were sufficient students to justify offering French-language instruction and establishing an institution for this purpose.

Saskatchewan

One month later, on February 15, Mr. Justice Ross Wimmer of the Court of Queen's Bench of Saskatchewan issued a declaratory judgment in favour of the Commission des écoles francophones and the 11 other Francophone applicants in a suit they had brought against the provincial government, based on Section 23 of the Charter of Rights concerning minority language education rights.

The declaratory judgment stated that Section 180 of the Education Act and Sections 40(2)b and 40(4)c of its secondary legislation are incompatible with Section 23 of the Charter, and that they are inoperative because of this incompatibility. The provisions in question do not acknowledge that the rights guaranteed by Section 23 include, where applicable, the right of the minority to administer and manage the minority's schools, considering that they establish territorial limits to the authority of the school boards; they might thus have the effect of "limiting" or "denying" these rights. In addition, they set preconditions for French-language instruction whereas the number of children of parents who enjoy rights recognized by the Charter is sufficient to justify French-language instruction.

The judgment does not, however, grant all the conclusions of the applicants, who wished to see the Education Act declared inoperative and obtain recognition of the right of Francophones to a single French-language school board for the entire province which would be responsible for managing and administering minority language instruction and educational institutions. Finally, they had asked that the court rule on other corrective action deemed appropriate in the circumstances.

Are Bilingualism and Multiculturalism Reconcilable?

Stella Ohan

Canada must reconcile its many concepts of cultural pluralism.

We believe they are. In June 1987 the government tabled Bill C-72 on official languages; in December of the same year it tabled Bill C-93 on multiculturalism. It was implied at the time that these two pieces of legislation, along with a forthcoming bill on citizenship, would form a trilogy that would promote more harmonious relations among Canadians. However, while it is clear that there are inter-relationships among official bilingualism, multiculturalism and citizenship, it is less certain that these policies necessarily serve as a vehicle for convergent national values. The authorities must therefore clarify the situation.

It is essential to strike a balance between our history and development of a new society

Bill C-93

By tabling the Multiculturalism Bill, the government provided a legislative basis for policy which had previously rested upon a statement made in the House in October 1971 by the Prime Minister in the wake of the report of the Royal Commission on Bilingualism and Biculturalism. In June 1987 the Standing Committee on Multiculturalism recommended the creation of a Department of Multiculturalism and the appointment of a Commissioner of Multicultural Affairs with powers comparable to those of the Commissioner of Official Languages. These recommendations were not accepted. Although somewhat disappointed at the

outset, multicultural associations acknowledge that the Bill is a step in the right direction.

A rapid transformation is taking place among the people of Canada, both culturally and linguistically. It is therefore essential to strike a balance between our history and the development of a new society. Our policies on official bilingualism and on multiculturalism must be reconciled if we are to cope with rapid changes. Ambiguities arise from the fact that one element has to do with language and the other with culture, and that these two elements are often inseparable.

The equality of equality

It is therefore important to determine the meaning of multiculturalism. All Canadians have contributed and can contribute further to the cultural richness of Canada. The government recognizes this contribution and, fortunately, promotes the pluralism that is part of our identity. Our Constitution affirms in unambiguous terms the equality of all citizens before the law. No Canadian should be subjected to discrimination because of his or her ethnic or cultural origin. At the same time, we must not lose sight of that fundamental characteristic, our English and French linguistic duality.

Bill C-93 states, first of all, that "the Constitution of Canada and the Official Languages Act provide that English and French are the official languages of Canada" and then assigns to the minister responsible for multiculturalism the responsibility to "facilitate the acquisition, retention and use of all languages that contribute to the multicultural heritage of Canada." These two statements are juxtaposed, but their respective places are not specified. This may be a source of possible misunderstanding.

Official languages priority

The treasure of Canada's heritage languages must be preserved and put to better use. Who would deny our native languages, for instance, special consideration? Does this mean, however, that these other languages are essentially entitled to the same treatment as the official languages? If such were the case, we would risk losing sight of such important factors as the requirement for communication within Canada, the cost of instruction and educational data. Rather, it must be understood that, while it is in everyone's interest to assist Canadians who wish to do so in preserving their native languages and cultures, the acquisition and use of our official languages has a high priority for a great many of us.

Much still remains to be done to achieve the objectives of Bill C-93, which aims to eliminate racial and ethnic discrimination. This is a challenge that must be taken up, but at the same time we must reconcile the many concepts of cultural pluralism that we hold and ensure that they contribute to the gradual creation of an identity and a culture of our own. This is the view of most of our fellow Canadians. Nevertheless, it may be useful to 'dot the i's.' ■

Under Control?

While a final settlement has yet to be reached, there are signs of progress in the matter of the eight Francophone air traffic controllers who had complained of harassment during training programs at three Western airports in 1986. *Language and Society* has mentioned this problem in its last three issues.

Meetings earlier this year between representatives of the Office of the Commissioner of Official Languages and officials of Transport Canada have reportedly resulted in agreement on a draft solution to the matter.

As we go to print, the Commissioner's Office is waiting for written confirmation of the agreement from Transport Canada.

The Armed Forces and the Official Languages

Hal Winter

Bilingualism in Canada's Armed Forces makes sense operationally and the scope of the challenge is clear.

Saint-Paul-de-Montmagny, Quebec — Canada's Armed Forces are gaining ground, but there's still a long hard road ahead before institutional bilingualism is reached.

This is the strategic assessment of Brigadier General Paul Addy, who is spearheading the drive to ensure that the Forces become "capable of fighting in French and English." To the task, the 45-year-old commander of Quebec's Camp Valcartier brings a fresh blend of enthusiasm and realism.

Practical experience

In his Townhall field headquarters after a day of treetop skimming by helicopter

to oversee "Operation Nez Rouge" manoeuvres in this snow-cloaked countryside a hundred kilometres southeast of Quebec City, the Victoria, British Columbia, native makes his points with a conviction born of practical experience.

His most forceful argument for application of the Official Languages Act is that Armed Forces bilingualism "makes even more sense from the operational-effectiveness point of view...if Canada is to play its full role in defence on the international scene."

Crucial information

The general doesn't expect Franco-phone soldiers to wade through Joyce's

Ulysses, nor their Anglophone counterparts to plumb the depths of Pascal's *Pensées*. The secret lies, he says, in mastery of the basic terms required to understand and transmit information crucial to military operations.

A brief tour of the field command posts set up in community church basements and local farmhouses for this week-long combined Canadian/Norwegian/French/American winter exercise seems to confirm his thesis. Clad in his white camouflage-suit, an Anglophone platoon commander gives an order in comprehensible French and a squadron of armoured vehicles climbs a snowbank and scurries in formation across the frozen fields. "In this temperature (-20°C) you keep them moving to keep them warm." In field headquarters located strategically across the exercise counties of Montmagny, Bellechasse and Des Etchemins, Francophone officers and NCOs communicate in English with Anglophone units, or transmission and reception are handled by appropriately bilingual personnel on the spot. For the 3,800 soldiers involved in this multilingual international exercise, the system works. But it's still a far cry from the ideal of institutional bilingualism envisaged by the Department of National Defence.

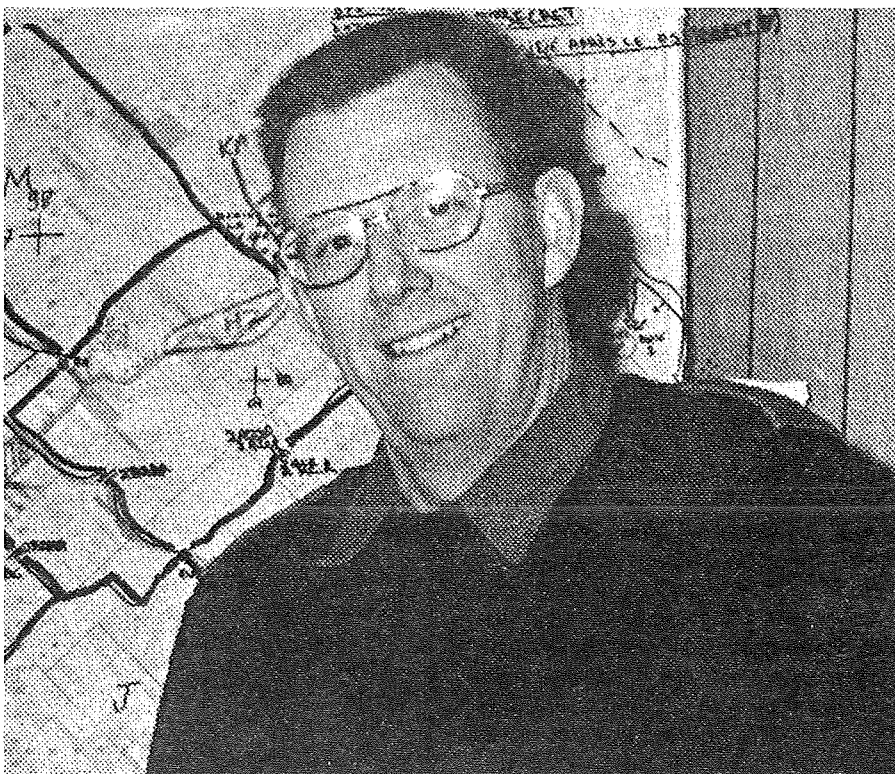
The scope of the challenge is made clear in a study prepared by General Addy for all three branches of Canada's Armed Forces. Drawing on his experience with United Nations contingents and NATO forces, he begins with the premise that "the armed forces of a democratic society must reflect the values and culture of that society, if its members are to feel 'at home' and at one with the will of the people."

After fighting two world wars and the Korean conflict in English, Anglophone domination of Canada's Forces was overwhelming until the 1950s, when overseas peacekeeping showed "how operationally essential French could be."

NATO

Today, "all members of the Canadian Armed Forces should be aware — although many are not — that NATO has two official languages: English and French." And as the only member country whose own official languages coincide, Canada can play a key role on the international communications scene.

To ensure national unity and military effectiveness, Addy points out, Canada must avoid the creation of two unilingual forces. The goal is a "linguistically



Canadian Forces Photo

Brigadier General Paul Addy



Canadian Forces Photo

"Operation Nez Rouge"

The Translation Bureau: Fear for the Future

It is impossible to think of institutional bilingualism without written or simultaneous translation.

However, the Translation Bureau may soon find it hard to carry out its role in official languages policy implementation within the federal government.

According to information we have received, the translation workload is constantly increasing, while human and financial resources are in gradual decline. In the five years from 1981 to 1986, the ranks of government translators diminished by nearly 20%. On its own, though, this decrease in staff would have posed no problem. Management intended to offset its resource shortage by introducing a progressive policy of automation designed to make internal operations more cost effective. In concrete terms, that policy was to result in acquisition of word processors and micro-computers, computer-assisted translation pilot projects and the introduction of an automated work station. The problem, however, was that the Translation Bureau was unable to obtain the necessary funds to purchase the equipment it required to meet the new needs of its employees.

We are nevertheless confident that the appropriate federal authorities will take the necessary steps to strike a new balance between required performance levels and overall translation demand. The Translation Bureau continues to make every effort to increase its production. As a result of the more effective management arrangements introduced by the Bureau last year, productivity has risen by 6%. In the past few months, however, translators have felt increasingly overworked. Clients are also complaining more about the decline in service, missed deadlines, sub-standard quality, conference postponements and cancellations and other related problems. Translation Bureau officials claim they have an alarming situation on their hands. For his part, the Commissioner of Official Languages recommends in his 1987 Annual Report that a working group be established to take a serious look at the resource shortages complained of by the translators. ■

integrated force...unilingual units and formations...commanded by bilingually competent headquarters and supported by bilingually competent infrastructures." In practice, this means reliance on the "building blocks" of English Language Units (ELUs), French Language Units (FLUs) and National Units (which can operate in both languages). For personnel, the higher the rank, the more bilingualism needed. Cross-fertilization of language skills is fostered by transfers of personnel to other-language units, Addy says, and innovative language training should make use of "computer-assisted learning packages with video assist...". Meanwhile, our military colleges should offer degrees in linguistics.

Training systems

There should be fundamental change in overall training systems to enhance second-language efficiency through workplace exposure, Addy's report

stresses. "The forced use of a second language in a military milieu can be a very effective vehicle...for Anglophones in particular...". There is also a need, says Addy, for bilingual work instruments, such as technical publications, and urgent attention must be focused on the use of automatic data processing software to eliminate language barriers. The technology exists to allow a French language ship to punch out a message and have it received in English. Such systems should be perfected, General Addy urges, before "millions of dollars are wasted" on unilingual software.

For the Forces — "so much more English-speaking" to start with — bilingualism represents a profound upheaval, Addy says. "Too many still believe that bilingualism is an ill that will disappear when operations begin. It will require a generation to percolate through military society." ■



Brian Caviloff, Edmonton Journal

The festivities are over

Olympic Splendour in Calgary

After what we saw and heard at the Calgary Winter Olympic Games, we can no longer say that bilingualism has no place in Western Canada.

French is the official language of the Olympic Games. With a few months of preparation, Calgary did a fine job of achieving the linguistic balance necessary for such an event. Transmission of results, medal ceremonies and the related cultural activities were entirely bilingual, and the innovative ideas and initiatives of the Games organizers, we

are delighted to say, were admirably in keeping with the spirit of the Official Languages Act.

Other languages, including Russian, German, Italian, Japanese and Spanish, were also used freely at the Games, and most of the athletes, their coaches and those who accompanied were bilingual, if not trilingual. To ensure that the presence of our two official languages at the Games had its full impact, the Association canadienne-française de l'Alberta (Calgary region) formed a special committee, Contact-Calgary, which did its

utmost to ensure that French received all the exposure it deserved, both at the Olympic sites and throughout the city.

We are especially enthusiastic about this success since it proves that — with good will — dealing with the official languages is much less difficult than some would have us believe.

It opened with a magnificent ceremony and closed with an unforgettable fireworks display. This was Calgary and the 1988 Winter Olympics. The whole world saluted Canadian know-how. ■

The Matter of Mercure

Gérald-A. Beaudoin*

The Mercure case will take its place among the great decisions on constitutional law that the Supreme Court has been called upon to make regularly for some years now. At the time of this writing, only Saskatchewan has responded to the decision of the country's highest court.

Background

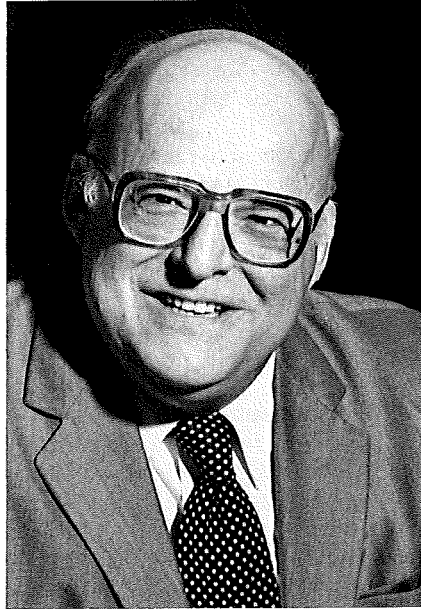
The facts are clear. Father Mercure was charged with speeding, in violation of the Saskatchewan Motor Vehicles Act. In provincial court he expressly requested that his plea be entered in French, that his trial be conducted in French and that the laws applicable to the case be produced in French. He based his request both on Section 110 of the North-West Territories Act, which provides, among other things, that anyone may use English or French in proceedings before the courts, and on Section 16 of the Saskatchewan Act.

The trial judge rejected Father Mercure's requests on the grounds that the provisions on bilingual legislation applied only to the Northwest Territories. The trial therefore was conducted in English. Nor was there any interpretation, because Father Mercure argued that the services of an interpreter did not meet the requirements of Section 110 and that, in order to defend himself, he had to consult laws written in French. He was found guilty. The Saskatchewan Court of Appeal rejected his appeal; however, the Supreme Court of Canada accepted it.

The decision

The Court had first to decide whether Section 110 of the North-West Territories Act still applied in Saskatchewan.

Saskatchewan was created in 1905, by a federal statute, from the Northwest Territories. Section 16 of the Saskatchewan Act provides that pre-



Gérald-A. Beaudoin

vious laws remain in force except to the extent that they are inconsistent with the Act or that the Saskatchewan Act contains provisions intended as a substitute for them. Parliament granted Saskatchewan the power to repeal or amend these previous laws. Section 110 of the North-West Territories Act, said the Court, is part of this previous legislation and continues to be in force, seeing that no provision of the Saskatchewan Act was incompatible with its content or was intended to replace it, and seeing that it was not amended by Saskatchewan.

Therefore, the laws of the province must be passed, printed and published in both languages, and English and French may be used in the courts of Saskatchewan. The previous right subsists because of the wording of Sections 14 and 16 of the Saskatchewan Act.

The Court emphasized that Section 110 had not been implicitly repealed. Repeal of this provision would have required a clear legislative declaration.

Secondly, the Court had to decide whether the rights arising from Section 110 are an integral part of the Constitution of Canada or may be modified unilaterally by Saskatchewan.

Francophones had hoped that the first proposition would be affirmed, as in the case of Manitoba. The Supreme Court answered that Section 110 was not entrenched in 1905, whereas in Manitoba, Section 23 was made part of the province's constitution. Sections 14 and 16(1) of the Saskatchewan Act expressly provide that previous law may be repealed by a competent legislator. Under Section 92(14) of the Constitution Act, 1867, the province may legislate concerning procedure in the courts; it may also amend its constitution under Section 45 of the Constitution Act, 1982. Section 110 is part of its internal constitution and may be amended by a simple law.

Both languages valid

Does Section 110 oblige Saskatchewan to print its laws in both English and French?

In the view of the Supreme Court, the language rights granted by Section 110 of the North-West Territories Act are essentially identical to those granted under Section 133 of the Constitution Act, 1867, Section 23 of the Manitoba Act of 1870 and Sections 16 to 18 of the Canadian Charter of Rights and Freedoms of 1982.

The laws of Saskatchewan, the Court said in answer to the third question, must therefore be passed, printed and published in both official languages. Since they were passed only in English, in violation of the Saskatchewan Act, 1905, the laws of the province are therefore invalid.

Nevertheless, the Court added, under the principle of the paramountcy of law and the doctrine of *de facto* validity (as in the case of Manitoba), these unilingual English laws remain *temporarily* in force during the short period required for their translation, passage and publication in both official languages, or until Saskatchewan amends its constitution, under Section 45 of the Constitution Act, 1982. Such amendment can take place only by means of a bilingual law repealing or amending the obligations imposed by Section 110 and declaring valid the existing legislation passed in English only.

The fourth point of law consisted in determining whether Section 110 confers on someone pleading before a court in Saskatchewan the right to use either English or French.

The Supreme Court answered that Father Mercure could plead in French, but could not require that other persons use that language. Whether English or French is used, however, there is an



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entitlement for remarks to be recorded in the language of choice.

The fifth question asked if Section 110 required that proceedings be conducted in English or in French, as the accused or defendant chooses?

The Court declared that the accused has the constitutional right to speak French before the courts, but does not have the right to be understood in that language. The right to be understood is not a language right, but one arising from the principle of uniform application of the law. The Supreme Court had already ruled accordingly in the decision in the *Société des Acadiens* case.

The sixth and last question: does the right, under Section 110, to use English or French include the right to be understood by the judge or by the judge and jury without the aid of an interpreter or of simultaneous translation?

The Supreme Court concluded that the judge and all officers of justice may use English or French, as they wish, in oral and written communications. In this, it was applying its own jurisprudence, as established in the *MacDonald* decision. The Court added that the accused does not have the right to an interpreter, except insofar as is necessary to ensure a fair trial under common law or under Sections 7 and 14 of the Charter of Rights and Freedoms. Since there was no evidence indicating that the accused required the services of a translator in order to understand the proceedings, a fair trial could have been held without providing translation from English to French.

Finally, the Court stated that the trial judge's refusal, despite the express request of the accused, to allow his plea to be entered in French tainted the entire trial and made it invalid. Consequently, the verdict of guilty was overturned.

Legal implications

Saskatchewan is in a unique position. There are analogies with the situation in Manitoba, but there is a significant difference.

The laws passed since 1905 in English only are unconstitutional, but, as we have seen, are regarded as valid by virtue of the paramourcy of law and the doctrine of *de facto* validity for the short period it takes to translate and readopt them, or to settle the question of bilingualism. Unlike Manitoba, which is bound by constitutional bilingualism, Saskatchewan may choose to reject bilingualism by passing a bilingual law amending its internal constitution (Section 45 of the Constitution

Act, 1982). In this respect, the situation in Saskatchewan differs markedly from that in Manitoba, which can be released from its obligation only with the approval of Parliament, in accordance with Section 43 of the Constitution Act, 1982. This is a very important protection for Franco-Manitobans.

Saskatchewan's decision to do one thing or the other, the Supreme Court declared, must be taken quickly.

The drafter, in 1905, did not protect language rights in Saskatchewan in the same way as had been done in the case of Manitoba in 1870. Saskatchewan, in 1905, was allowed to release itself from the requirement for bilingualism by passing a bilingual law.

The Supreme Court chose not to exclude the principle established by the *MacDonald* and *Société des Acadiens* decisions. Since they are so recent, this is hardly surprising!

Political consequences

Five provinces in Canada are currently subject to bilingualism requirements: Quebec, Manitoba, New Brunswick, Saskatchewan and Alberta. Alberta is not technically bound by the *Mercure* decision, but there is no doubt that the same principle applies in that province. Saskatchewan and Alberta, however, may reject or restrict bilingualism unilaterally. The three other provinces can do so only by complying with the provisions of the Constitution Act, 1982, which is far more complex.

Saskatchewan was surprised to learn that it had been bilingual since its creation in 1905. Saskatchewan Francophones are pleased, although their victory is not complete. They are very much concerned about the possibility of a unilateral release by Saskatchewan from its obligation.

The political decision that must be taken in Saskatchewan in the near future is of the greatest significance. It could choose the "Manitoba solution," i.e. the translation and readoption of all previous laws and the adoption of future laws in both languages, or it could opt for a compromise *sui generis* whereby it would expand institutional bilingualism in the future by providing additional services and simply wipe the slate clean with respect to past unilingualism.

The Meech/Langevin accords are not yet part of the Constitution. Saskatchewan may reject bilingualism. By doing so it would not be going against the letter of these accords, which the province signed, but it would be violating their spirit.

In the light of the *Mercure* decision, the great dream of bilingualism at the provincial level no longer seems impossible in Canada. The heritage of Pearson and Trudeau, at the federal level, is being strengthened by Bill C-72, which is supported by Mulroney.

Bilingualism, as confirmed by the Supreme Court, remains, however, very fragile in Saskatchewan.

The story of language rights continues to be written partly by the Supreme Court of Canada and partly by our legislatures. ■

Other Cases Before the Courts

In 1988 the Supreme Court of Canada will be asked to render a number of decisions of major importance for language law in Canada. In particular, it is to rule [...] on the nature and scope of minority language education rights, as raised by the *École Georges-et-Julia-Bugnet* case in Alberta; the constitutional validity of certain sections of Quebec's Charter of the French Language (Bill 101) involving the language of various other cases concerning the constitutionally protected rights of Catholic schools and denominational school boards in Quebec, the province with the largest official language minority population in Canada.

The courts will therefore continue their efforts to reconcile the language rights sanctioned by statute, custom and usage with those arising from the Charter, particularly in education. However, that process will not be completed in the near future. In the meantime, it will be mainly up to governments to settle disputes which endanger the status of one or other of our official languages and, at times, the very existence of our minority communities. As the Supreme Court of Canada pointed out in 1986, "the legislative process is, unlike the judicial process, a political process which lends itself particularly well to the advancement of rights based on political compromise."

Annual Report 1987, pp. 28-29.

In Saskatchewan the Choice Is Made

Premier Grant Devine's government has now repealed the relevant language provisions carried over into the Saskatchewan Act of 1905.

Saskatchewan's new Language Act (Bill 2), promulgated on April 26, is a direct response to the findings of the Supreme Court of Canada in the *Mercure* case.

The main features of the new law validate past enactments of the legislature which were made in English only. Section 3 reads, in part:

All Acts, regulations and Ordinances enacted prior to the coming into force of this Act, whether proclaimed in force or not, are declared valid notwithstanding that they were enacted, printed and published in English only

The law does, however, allow for the possibility of some linguistic flexibility. Section 4 says: "All Acts and regulations may be enacted, printed and published in English only or in English and French", while Sections 5 and 6 describe the ways in which the Lieutenant Governor in Council might designate certain Bills and Acts, past and future, for enactment, printing and publishing in both of Canada's official languages. Where a bilingual Bill is introduced in the Legislative Assembly, the proceedings of the Assembly in dealing with that particular Bill must be recorded in both English and French. The Lieutenant Governor in Council may similarly designate certain regulations for bilingual treatment.

The Language Act entitles any person to use English or French in proceedings before the Court of Appeal, the Provincial Court, the Court of Queen's Bench, the Surrogate Court, the Traffic Safety Court and the Unified Family Court. These courts may make rules governing the practice of this entitlement, which then must be published in both languages "not later than January 1, 1994."

The new law allows for the use of either English or French in the debates of the Saskatchewan Legislative Assembly, the "rules and procedures of the Assembly and records and journals...may be made, printed and published in English only",

a provision which may be changed of resolution by the Assembly itself.

As to Section 110 of the North-West Territories Act, 1886, as it existed in 1905 when the province of Saskatchewan was created, it "does not apply to Saskatchewan with respect to matters within the legislative authority of Saskatchewan."

By of the end of April, curiously enough, nothing had been heard of the outcome of much-heralded discussions on co-operation between the federal and Saskatchewan governments on assisting the Francophone minority.

One of life's small ironies: Saskatchewan's Language Act, to be valid, had itself to be "enacted, printed and published" in both official languages.

Varied Reactions

Explaining the path taken by his government, Premier Devine said that his province eventually would offer full bilingual services, but at its own pace. "It's hard, but I'm going to do it," said Devine in an interview, but NDP MLA Ned Shillington said the government of Saskatchewan "seems to have one policy for Saskatchewan and one policy for the Toronto press."

Prime Minister Mulroney told the House of Commons that Saskatchewan government officials showed an "encouraging attitude" toward the protection of French rights in that province.

If Saskatchewan should eventually decide to translate and enact its laws, or some of them, in French, the federal government, it is understood, would provide financial help. Talks on the subject have been quietly underway.

Quebec's Premier Bourassa said that while he was disappointed that Saskatchewan had not gone further, the Bill was an improvement over the existing situation.

It was not a statement to make the Fransaskois happy. But they were more

diplomatic than Georges Ares, the Alberta Francophone leader, who said, "We feel betrayed." The Fransaskois refused to criticize Premier Bourassa's position, which Quebec Vice-Premier Lise Bacon defended by saying that Quebec had a policy of "non-interference [in other provinces' affairs] but not indifference."

The effects of these developments on interpretation of the Meech Lake agreement and on its chances of ratification were discussed extensively, if inconclusively. Senator Lowell Murray told *Maclean's* magazine that "...to the extent that [Saskatchewan's law] can be said not to preserve what the Francophone minority had, at least in theory, then it is against the spirit of Meech Lake. If Meech Lake had been ratified, then people could invoke the clause in court."

The Commissioner of Official Languages, D'Iberville Fortier, said he regretted the fact that Saskatchewan's new language law did not fully recognize the equal status of English and French in the legislative process. Mr. Fortier observed that "an historic challenge to advance the cause of linguistic justice has been met only in part. We can only hope that the political commitments made when the Bill was first introduced will lead to significant improvement in the situation of Francophones in Saskatchewan and that it will not have an unfavourable impact on minority rights elsewhere."

Press reaction to the new situation was, predictably, rapid. In the *Saskatoon Star-Phoenix*, Charles Johnston wrote: "Let it not be grudgingly and only by forced compliance with the demands of the Charter of Rights and Freedoms, but instead by the willing agreement of fair-minded people in Saskatchewan that the way is now opened for this belated act of justice to the Fransaskois, who need to be recognized as an essential part of our Saskatchewan heritage."

Speaking of the provinces and their attitudes and powers, Don Braid, writing in the *Calgary Herald*, said, "The provinces now have all the power they need, including the power to be charitable and fair if they wish..."

The situation seems to be that supporters of Saskatchewan's language law claim that it is the best that can be accomplished at the moment, while critics maintain that more could, and should, have been done now. What is clear is that while the law may be in place, the questions have not all been answered. ■

Reorganization in Manitoba

A great deal was at stake when the congress of delegates of the États généraux met in Saint Boniface. Roles and expectations had to be redefined.

The congress of delegates of the Manitoba États généraux was held in Saint Boniface March 4-6. Some 330 Francophones from all areas of Manitoba attended. The organizing committee had set two goals for the congress: to reach a better understanding of the expectations of the French community and to ascertain how, in light of its needs, the activities of Franco-Manitoban organizations could be better co-ordinated. Such organizations have been proliferating for several years. Today there are at least 10 active in various fields on a province-wide basis, and the time has come for them to co-operate.

A common goal

A great deal was at stake at this congress. Many were disappointed at the nearly complete absence of young people and confused by certain aspects of the proceedings. Nevertheless, resolutions were adopted in the plenary session that will lead to the co-ordination among Franco-Manitoban organizations that is so desired and to a permanent consultation mechanism. One of these resolutions dealt with reform of the Société francmanitobaine itself. It was agreed that its restructuring would take place by November, but the president, Lucille Blanchette, fears that this cannot be accomplished so quickly. It is felt the Société in its current form is not sufficiently representative of all regions of Manitoba and that it should consult the rank and file more. For more than five years it has devoted all its energies to advancing the legal and constitutional rights of Franco-Manitobans and has neglected to take the lead in other sectors of community life, such as the economic arena, education, recreation and so on, in which such associations and organizations as Le Conseil Jeunesse provincial, La Fédération provinciale des comités des parents, Le Centre culturel franco-manitobain and La Fédération des Caisses populaires are

already involved.

While undertaking its internal reorganization, the Société francmanitobaine will have to ensure that all Francophone leaders in Manitoba work toward a common goal by developing a structure within which they will find a place. What is asked of it, in short, is that it become the architect of the Franco-Manitoban future. The congress was just one step on the path to a redefinition of expectations and roles. This redefinition actually began in September 1987 with the holding of public hearings by an independent council of nine members chaired by Mr. Justice

It is felt the Société in its current form is not sufficiently representative of all regions of Manitoba and that it should consult the rank and file more.

Michel Monnin of the Court of Queen's Bench. The council travelled to all regions of Manitoba where there were sufficient numbers of Francophones and listened to their grievances and suggestions. It also received 164 briefs, which indicates the immense interest it aroused. The observations, ideas and recommendations contained in these briefs formed the substance of the summary submitted for consideration by the participants in the meeting last March.

Schools, culture, communications

It can be seen from this summary that Franco-Manitobans are especially concerned about the management of their schools. Opinions on this subject are



Lucille Blanchette

divided, with most favouring the creation of French-language school divisions (or boards) and others opposing the establishment of a single division for all of Manitoba for fear of seeing the autonomy of the local divisions weakened.

Shortcomings

The shortcomings which Francophones complained about included the excessive centralization in Saint Boniface and Winnipeg of programs and services offered by Franco-Manitoban organizations, the difficulty of obtaining French-language books, videos, films, records, magazines and newspapers and the lack of government services in French at all levels of administration. Franco-Manitobans are also calling for French-language radio and television broadcasts that might be of interest to young people.

The Société francmanitobaine has been the representative of French-Canadians in Manitoba for many years. All agree that it must not only remain so but must strengthen this role in the future by overseeing groups, institutions and agencies that, each in their own way, strive to ensure the well-being of the community. T.L.-A.

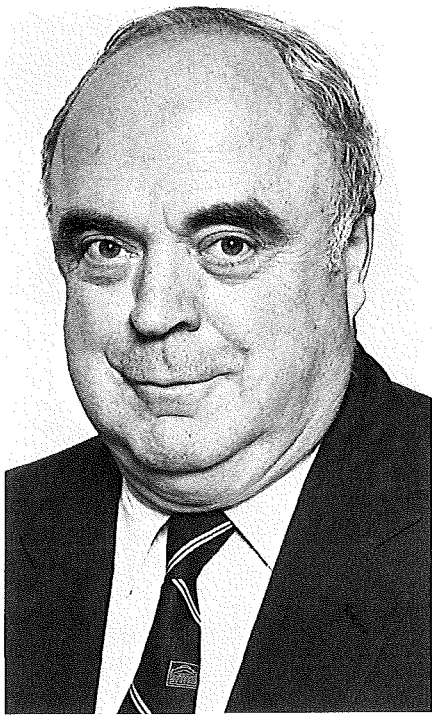
French-Language Services in Ontario

Sarah Hood

The implementation of the French Language Services Act (Bill 8) is well underway.

In and around Ontario government buildings signs are there: "Gouvernement de l'Ontario", "Ici nos services sont offerts en français et en anglais", "Bienvenue". Since the passing of Ontario's French Language Services Act (Bill 8) in November 1986 the increasing proportion of services available in French is becoming apparent across the province.

"The Act is very well written," says Gérard Bertrand, Chairman of the Ontario French Language Services Commission, a body which exists to



Gérard Bertrand

make recommendations on the implementation of the Act. "It's easy to work with. All in all, I'm happy with the results so far."

Public service reactions

The reaction of Ontario's public servants has been good. "In general the public service managers are

already sympathetic to the Act," continues Bertrand. "Their attitude is very positive."

Rémy Beaugard, Executive Director for Francophone Affairs, agrees. One thing is clear. The idea of offering services in French has been accepted,

Availability of provincial services in French is increasing.

and, even though the services aren't yet in place everywhere, when a Francophone requests service in French there's usually an answer, or they're directed to a place where they can get the service. There's a lot less of 'I'm sorry I don't speak French.'

First steps

Although the Act will not formally take effect until November 1989, some services are already available. The Ontario government bookstore on Bay Street in Toronto is a case in point. "There are more things done in French, more legislation is bilingual. We've always had a section for French publications, but eventually I imagine we'll have the French and English things together," says Bev Kennedy, outlet supervisor. Last summer the bookstore put its first bilingual sign on the door, and Kennedy says she has noticed some increase in the demand for French publications. "We're halfway there," she says. "The next time the Revised Statutes come out they'll be bilingual — and that will be a big and noticeable change."

Monique Simard, French Language Co-ordinator for the Ministry of Tourism and Recreation, says that although the Ministry has always provided some services in French, Bill 8 has given it the chance to expand on the base that already existed. Brochures and other publications are almost all

available in French, and most signage in Ministry buildings is bilingual. The many agencies of the Ministry, such as Old Fort William, the St. Lawrence Park Commission, Thunder Bay Ski Jumps Ltd. and the Ontario Lottery Corporation, have all agreed to conform with the Act.



Anne Meggs

A project report

Anne Meggs, Senior Policy Adviser to Bernard Grandmaître, Minister Responsible for Francophone Affairs, gives a project report at a much broader level. "In the first year we were concentrating on internal structural changes," she says. "There were five priorities: a French-language services co-ordinator, a bilingual communications officer and a bilingual personnel officer in each ministry, as well as one-time costs for signs, forms and software, and language training."

The next time the Revised Statutes come out, they'll be bilingual.

The funds have been allotted for the first year, and Meggs believes that all the ministries now have French-language services co-ordinators. Because the first big changes are internal, she explains, "Things will start showing slowly." On the other hand, she adds, "There will be fewer and fewer reports that won't be bilingual," since new publications as well as signs are being produced in both languages.

In the second year two new areas will



take precedence. "We will begin a consultative process with the agencies of the government to determine where and how services will be offered," says Meggs. This will mean, for example, that some social service agencies will soon be able to offer new or better service in French. However, the agencies are not subject to the same deadlines as

There are distinct differences between Bill 8 and the federal Official Languages Act.

the Ontario government ministries are. The government will also begin to concentrate on internal communications, so as to make sure that every public servant knows how he or she is affected by the Act.

G rard Bertrand will be working with the Francophone communities in such cities as Sudbury, Cornwall, Hearst and Windsor to establish what kinds of services are needed in each area. "That's how we'll really succeed — by making sure that services are in harmony with the needs of the community," he says.

Availability of provincial services in French is increasing.

Federal and provincial laws

There are distinct differences between Bill 8 and the federal Official Languages Act. Ontario will have no positions designated "bilingual". Furthermore, as Bertrand says, "In Ontario, English will continue to be the language of administration." He also points out that the Act itself "doesn't mention bilingualism anywhere — just service in French."

"The federal Act came first," says R my Beauregard. But he believes the French Language Services Act will prove to be "a lot more innovative."

For those involved in the implementation of the Act, the next few years will be exciting ones, and will yield a great deal of valuable information which can be of benefit to other Francophone communities, to governments and to Canadians in general. ■

Is Quebec Unilingual?

Gretta Chambers*

Editorial note: Constitutionally, except for a short period, Quebec has, from 1867 to the present, been a bilingual province with respect to debate in the National Assembly, statutes and regulations and the courts of justice. Provincially, the much-discussed Bill 101 of 1977 (since amended) declared Quebec officially unilingual with some exceptions; Bill 142 of 1986 for the first time guaranteed bilingual hospital and health services. However, the situation is far more complicated than this, and we have therefore asked one of Quebec's best-known journalists: "Is Quebec unilingual, as many people seem to think?"

No, Quebec is not unilingual, although a good many Quebecers wish it could or would become so.

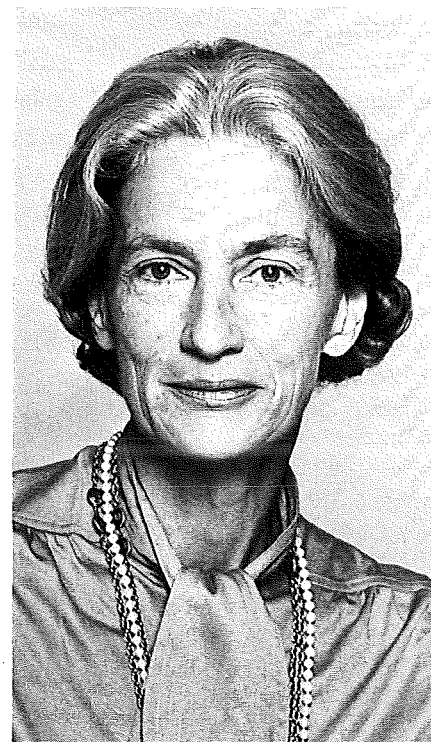
In the late 1970s and early 80s, the Parti Qu b cois, then in power, came to symbolize a trend toward or a preference for French unilingualism. Bill 101, the Charter of the French Language, was seen as the framework for building a unilingual state. It is ironic that it was Ren  L vesque who once said that the English fact in Quebec had to be recognized and given accommodation because it was there. It was a view not shared by all the late and much lamented Parti Qu b cois leader's followers.

In the inevitable polarization of those years, the opposition Liberals stood for a more linguistically pluralistic Quebec. As the Liberals were supported by the totality of English-speaking Quebec and a good majority of Quebecers whose mother tongues were other than English or French, this was not surprising.

Economic potential

When Robert Bourassa's Liberals were elected in 1985, language ceased to be a fighting issue. Non-Francophones

*Gretta Chambers is a Montreal journalist, broadcaster and political commentator.



Gretta Chambers

relaxed. Francophones were more and more caught up with the province's and their own economic potential, less inclined to brood over the linguistic injustices of the past. Progress in the francization of business was evident and an upwardly mobile executive class was gaining in numbers and strength.

In the first flush of power, Premier Bourassa could easily have lifted the prohibition against bilingual commercial signs. Given his election promise, he was expected to do so and the nationalistic opposition immediately rallied to defend Bill 101 against a liberalization that never happened.

*Progress in the francization
of business was
evident.*

Insecurity

In the wake of a more than satisfactory economic recovery has come a renewed linguistic insecurity which triggers recurrent surges toward institutional unilingualism. No political party advocates bilingualism in Quebec, and Jacques Parizeau, the Parti Québécois leader, is now advocating outright unilingualism. Should he come to power, he would, he says, curtail Anglophone "privileges" and make Quebec French from "wall to wall". Bill 101 would be applied with rigour and the legislation passed by the Bourassa government guaranteeing English-speaking Quebecers health and social services in their own language would be abolished. This was a big enough break with past Parti Québécois policy to have caused the mass resignation of the executive of the party's youth wing, who favour openness to minority groups and Quebec's English-speaking community as a sign of modern Québécois confidence.

The stalemate continues. But in the limbo where linguistic questions now languish, Francophones have developed an eye for the unilingual. There is much preoccupation with saving Montreal's French face, the accepted description of the change for the better Bill 101 is believed to have effected, from renewed bilingual mutilation.

Immigrants and integration

If one had to choose a single factor for explaining Quebec's anti-bilingualism, if not outright pro-unilingualism, it would have to be immigration. The integration of immigrants is fast becoming the number one social problem in Quebec. Its solution is considered vital to the demographic strength of a society whose own birthrate has fallen below self-renewal. But the preservation of Quebec's distinct soci-

ety through immigration can only be successful if immigrants choose to become French-speaking. Quebec's English fact, representing bilingualism, is seen as a stumbling block to integration. French-speaking Quebecers believe that whenever possible immigrants choose English rather than French as the language of their children's schooling and that the availability of English-language services or ready access to English in the workplace gives new Quebecers the impression that there is still freedom of choice as to which language they can adopt as their own.

Confidence

The belief that bilingualism has a sapping effect on the vitality of French-speaking Quebec is still very much present. It has, however, changed its spots. With its burgeoning economic elites, Quebec has become more prosperous, more continentalist, more open to outside influences. Confidence in its

*The residues of inferiority
that still haunt its
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a threat and
a lifeline.*

own potential has never been higher or more exuberant. Many Quebecers worry that the province's veneer of French will crack under these new pressures. But by the same token, more and more Francophones not only know English but delight in speaking it. Individual bilingualism has become chic.

Quebec's distinct society finds itself in a kind of Catch 22 situation. The residues of inferiority that still haunt its Francophone psyche make bilingualism look like both a threat and a lifeline. Legislated language restrictions favouring unilingualism will continue to ebb and flow according to the political climate and constitutional constraints. But it is what actually happens that will always decide the real status of Canada's two official languages in Quebec. *De facto* unilingualism cannot be legislated; it is unlikely to become a fact of life in Quebec in the foreseeable future. Shades of René Lévesque! ■

"The Other Language": A Contradiction

The status of Quebec's Anglophone community remains a burning question. In an editorial — "A sign of continuity and hope of doing better" — in *La Presse*, March 9, Michel Roy expresses surprise that in his speech opening the second session of the National Assembly on March 8, the Premier of Quebec did not reassure the province's Anglophones on the subject. With Mr. Roy's permission, we reprint a brief excerpt from his editorial.

"With respect to immigration, the integration of immigrants into the Francophone majority, and demography, the government reiterated its intentions, which, in principle, are all fine. However, it is surprising that after two years it is still examining the sorts of organizational structures which would best ensure that action with respect to the demographic problem will be as effective as possible. The government is also concerned about the use of French in the workplace and about the re-establishment of French as the mother tongue in primary and secondary schools. That's well and good. But concerning 'the other language', Mr. Bourassa is encouraging the same contradiction: on the one hand, the respect required for fundamental rights — hence, bilingual signage once the Supreme Court has spoken; on the other hand, the preservation of 'social peace'.

"The Premier might have made better use of his speech to reassure Anglophones, who are not worried about the English language, which is not threatened, but about the status of their community in Quebec society."

Update
see page 36

A Fairy Tale in Toronto

Monique Cousineau

The contribution of Laure Rièse to the quiet revolution of French in Ontario has brought her many awards.

Once upon a time, an 18-year-old Swiss girl made a chance stop in Toronto, a city where her mother tongue was hardly the *lingua franca*. The year was 1928, and for the young girl it was love at first sight. So began the fairy tale of Laure Rièse and her love of the French language. It was the start of a mysterious fascination, which, 60 years later, is as much alive as it was the first day.

That fascination has earned this Toronto woman countless decorations and medals. Miss Rièse is Chevalier de la Légion d'honneur, Officer of the Order of Canada and Commander of the Order of St. Lazarus of Jerusalem as well as recipient of the silver medal of the City of Paris and the bronze medal of the Comédie française, to name only a few of her awards. Her name also appears in the *Directory of American Scholars* and in *Who's Who in Canada, England and the United States*.

Miss Rièse decided to make Canada her home in 1928, when she began what would become her life's work, promoting a love of, and carving out a place for, the French language in Toronto. For 25 years, she was Don of the Maison française of Victoria University, where she obtained a doctorate and gradually rose through the teaching ranks. She is now professor emeritus at that institution.

Laure Rièse became the first female president of the Alliance française in Toronto and was a member of a number of French-language theatres and artistic and cultural societies. She also addressed hundreds of groups in Canada, France, Switzerland and Belgium and chaired the Salon français from its inception in 1953. She is honorary president of the Toronto writers association. Her activities are



Laure Rièse

too numerous to mention, but her deep commitment to the cause of the French language was honoured in a public celebration at the St. Lawrence Theatre on her 75th birthday.

On the same occasion, Victoria University struck a bronze medal bearing her effigy which it now awards each year to its best student of the French language.

At 78, Laure Rièse still retains her taste for excellence, which she described to the thousands who recently assembled at Roy Thomson Hall for an interdenominational celebration: "Être supérieur means to surpass oneself. For me it was my profession to bring love of the French language and literature to an essentially Anglo-Saxon city 60 years ago, but it was also to learn the English language in order to understand its people and its ways of life so different from the one I had known."

As a female Francophone émigrée living in Toronto, Laure Rièse is well aware of the cost of surpassing oneself. She likes to quote Gabrielle Roy, who once said, "It should not be forgotten that what is tragic about minorities is that they must be superior to others." It was no doubt this superiority that Victoria University recognized in Laure Rièse when it recently awarded her an honorary doctorate.

Laure Rièse has instilled her passion for the French language in several generations of students. From her personal library of more than 4,000 volumes, she made a gift to the University of Toronto of several invaluable collections of letters and books signed by such major authors as Simone de Beauvoir, Jean-Paul Sartre, Colette, Charles de Gaulle, Albert Camus, Samuel Beckett, Eugène Ionesco, André Malraux, Gabrielle Roy and Antonine Maillet.

Laure Rièse is constantly looking for ways to take French out of the classroom and into the real world. She is currently examining the contribution which Francophone multicultural groups have made to the Francophone community of Canada and is interested in the phenomenon of immersion schools, which she finds both fascinating and frightening. She fears the new "immersion generation" will feel isolated if the French they learn as a second language is not integrated in the day-to-day life of a Francophone community.

The French language has found a place in Toronto thanks in large part to the efforts of Laure Rièse, who intends to continue spreading her love of that tongue and indeed of Canada itself.

When the Right Honourable Jeanne Sauvé inducted her into the Order of Canada, she emphasized "the contribution of Laure Rièse to the quiet revolution of French in Ontario." To work so hard for 60 years requires a steadfast faith in the task at hand. As a result of that faith, the French language in Toronto now bears the indelible stamp of Laure Rièse. ■

Grand Bonheur



Michel Tremblay's *Le Vrai Monde?*

The Théâtre français de Toronto (formerly the Théâtre du P'tit Bonheur) is midway through its 20th year of operation. It is the only long-running professional theatre company to operate in any language other than English in Toronto, and, with such institutions as the National Arts Centre in Ottawa and Sudbury's Théâtre du Nouvel Ontario, it provides a valuable resource for the Franco-Ontarian artistic community.

The official 20th anniversary celebrations took place on April 15, when the Théâtre rented the entire ground floor of Casa Loma, Toronto's famous castle, for a gala night, and offered its patrons a dinner-dance with champagne.

The season line-up included a wide range of French-language theatre, from the season-opening premiere of Michel Tremblay's new play *Le Vrai Monde?*, which examined the relationship

between fiction and reality in the imagination of a young Quebec dramatist, to Molière's classic *Le Misanthrope*. Other productions included the popular hit *La Sagouine* by Antonine Maillet, and *L'amour en déroute*, the translation of well-known English-Canadian playwright George F. Walker's *Criminals in Love* which was produced last fall.

One of this year's highlights was a new work by Lina Chartrand, a Franco-Ontarian playwright, entitled *La P'tite Miss Easter Seals*. It dealt with a 15-year-old girl faced with two obstacles to overcome: being crippled with polio and growing up French in Northern Ontario. It ran three weeks in early spring. *Language and Society's* next issue will report on that production in an article about the history of the Théâtre français, its present achievements and its expectations for the future. S.H.

National Gallery of Canada

The new National Gallery of Canada at 380 Sussex Drive in Ottawa officially opened its doors on Saturday, May 21.

The Gallery's premier temporary exhibition begins on June 16 with the first large retrospective of its kind of the work of Edgar Degas in 50 years. This presentation, which features paintings, pastels, prints, bronzes and even photographs, comes to Canada from 72 public and 30 private collections in 12 countries, including works from the National Gallery's own permanent collection. It continues to August 28.

Groundbreaking for the new gallery began in December 1983, the first concrete was poured the following May and a topping-off ceremony in October 1986 marked the completion of the superstructure. The floors and walls of the Moshe Safdie design are a variegated rose granite — swirls of grey, black and cream striations in pink granite — quarried from a site north of Tadoussac, Quebec. The ceremonial facade facing Parliament Hill is composed of thousands of glass panels.

Inside, the new building uses a rich variety of natural and artificial light to show off the first comprehensive installation of the Gallery's permanent collections, including the restored and reassembled chapel of the Rideau Street Convent — built in 1888 and stored by the National Capital Commission since the 1972 demolition of the convent — which now sits between two courtyards at the heart of the Gallery.

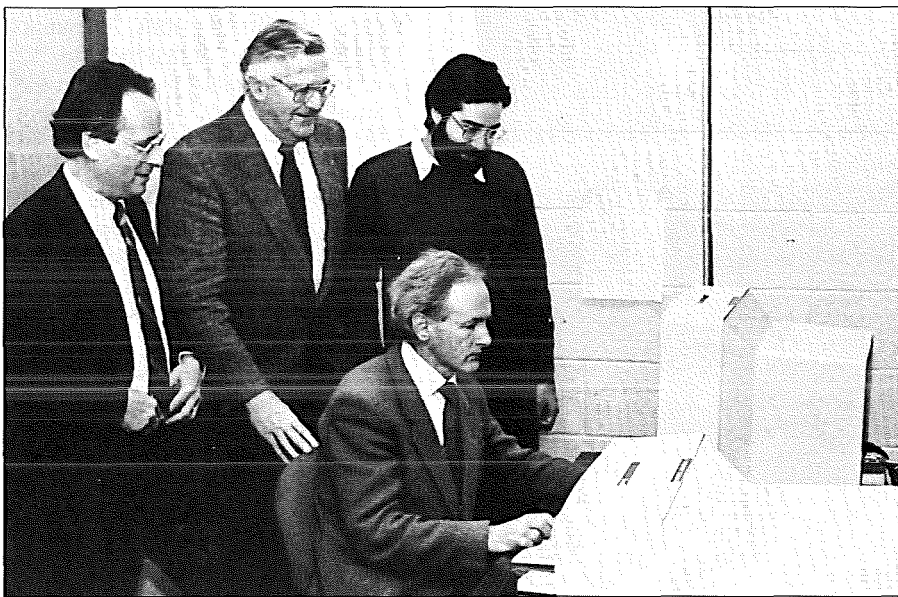
More than three times the size of Maple Leaf Gardens and able to display some 1,900 works of art at any time in ideal lighting conditions, the new National Gallery is one of the world's largest art museums, after such giants as the Louvre in Paris and New York's Metropolitan Museum.

Summer opening hours are from 10 a.m. to 8 p.m. Wednesday through Friday and 10 a.m. to 6 p.m. Saturday through Tuesday.

Computer-Assisted Language Instruction

Tim Lougheed*

Students may soon be able to ask their personal computers for help in acquiring English or French as a second language.



Principal researchers on computer-assisted language instruction

Researchers at Queen's University have been developing a software package that spontaneously generates practice sentences to test students' grammatical ability. The first version of the program, which operates in Italian, has been available since 1981 to Queen's students using terminals linked with the university's mainframe computer.

English and French can be added to the latest version of the system, called VINCI, which incorporates several languages and utilizes the advantages of personal computers. The system may eventually interact with students, gauging how well each one fares, making study suggestions and even varying the level of difficulty to match individual ability.

*Tim Lougheed is a science writer with Queen's University in Kingston, Ontario.

Software packages

Those prospects mark the culmination of more than a decade's efforts for Diego Bastianutti, a professor of Spanish and Italian. He and several colleagues in other language departments and in computer science are in the second year of developing the latest software package, with Queen's development funds and the Ontario Ministry of Colleges and Universities financing the project.

Professor Jim McDonald admits the novelty of the system makes it hard to describe. "We don't even have words for these things," he says. "It's either a tool or an ancillary or something."

"It will be as many different packages as people who use it," says Professor Bastianutti. "Each person will be having the system produce the kind of exercises, the kind of sentences, that he or she may determine."

Computer-generated sentences

He envisions teachers tailoring VINCI to particular grade levels, leading up to interaction between machine and student. "If you can have the computer generating these sentences, then it could possibly recognize these sentences," he says. That feedback would enable the computer to judge a student's progress and any need for help.

The challenge of such work lies in getting the machine to acknowledge a linguistic spectrum that includes subtle shades of abstraction and metaphor. This calls for the co-operation of humanities researchers who have not usually seen the value of computers, says Michael Levinson, professor of Computer Science. He adds that computer researchers, for their part, have been reluctant to join such projects.

That makes the interdisciplinary work of the Queen's group all the more remarkable to Professor Bastianutti. "I think what we're doing is quite different in approach compared with what anybody else is doing," he says. ■

An Educational Heritage

After almost a decade of waiting and hoping, the Heritage Campus of the Collège de l'Outaouais in Hull will become an independent English-language college this coming September.

At last word, college authorities were awaiting arrival of an official charter and appointment of the first members of the Board of Governors by the provincial government.

The new college, which has been attached to the larger French-language institution since it started operations in 1969, will be the first English-language post-secondary educational institution north and west of Montreal Island. It had more than 700 students in its three-year and pre-university courses in 1987-88, and is expecting an enrollment of about 800 in the coming academic year.

Language and Society will have a full report of the Heritage story in its next issue.

Bombardier: The Realities of the Modern World

Dian Cohen*

Bombardier's business and management know-how have been put to work in the area of language facility.

Ask Vice-President Jean Rivard to describe Bombardier, and he will tell you that, above all, it's a Canadian company. It is that, but as its corporate brochure attests, it is also a citizen of the world. Bombardier designs, develops, manufactures and markets a wide variety of transportation and aerospace equipment and technology, and it operates from facilities in Canada, the United States, Austria and Belgium.

Global recognition

Its excellence is globally recognized. Light rail cars, high speed trains and subway systems move people both above and underground in Mexico City, New York, Vienna and Montreal. Bombardier diesel electric locomotives run on five continents. Bombardier products power a variety of ships, including the United States Coast Guard's largest icebreaker; others service deep-water oil exploration rigs.

The Ski-Doo snowmobile was the basis not only of a new industry, but also a new sport. Bombardier is confident that its research and the attention it pays to consumer trends will make the just developed Sea-Doo water scooter equally successful.

Language facility

Bombardier's business acumen and management skills have also been put to work in the area of language facility. Bombardier itself is, and always has been, a French-speaking company from top to bottom. Says Jean Rivard: "Eighty-five to 90% of the people who work for Bombardier are either French-



Dian Cohen

speaking or bilingual. It was only three or four years ago that we felt the need to set down formally on paper a 'language policy.' But Bombardier's understated approach to the language issue belies a deep conviction about the need for the "Bombardier family" to be able to conduct business in French.

Canadair

In the early 80s Bombardier acquired MLW Worthington, an almost entirely English-speaking company. In 1986 it bought Canadair from the federal government. Canadair's senior management, too, is almost entirely English-speaking. "Our first priority is to make money," says Rivard. "First and foremost, we want our senior managers to work hard at what's going to be

profitable for the company. We have no intention of firing anyone, or even making anyone nervous, simply because they don't speak French."

"Quite frankly," he continues wryly, "I would be more than happy if Anglophones could understand French and Francophones could understand English, which is more frequently the case. Then, the English could speak English and the French could respond in French. For me, that would be ideal. But Canadair had its own program of francization with the Office de la langue française long before becoming a part of Bombardier. We're making sure they're proceeding with that program, but without turning the company on its head."

Language instruction

Michelle Riopel, the manager of linguistic services at Canadair, says the last few years have been hectic. "We don't have a formal or official language policy, although we are in the process of writing one now. But it's been a strange period: we belonged first to the federal government, so came under the Official Languages Act. But then, because we were in Quebec, it was decided that we came under Bill 101, so we have had a francization program since 1981. At the moment, we have an English teacher here giving English-language instruction — that may seem odd, but there is a great need for people in this business to get along in English, too." Jean Rivard agrees. "Here at Bombardier, neither Bill 101 nor the Official Languages Act are particularly onerous for us. And since we export 80% of what we produce, we need people who can communicate in English."

Luc Beaudoin is a graduate of Canadair's English-language classes. One of Canadair's technical support staff, Beaudoin says he was at a great disadvantage a few years ago because his English was not very good. "The language of the aerospace industry is English. Even in France, at Aérospatiale, the technical and maintenance manuals are written in English. I was fortunate that my employer gave me the opportunity to improve my language proficiency. I took classes here for two years, practised a lot, and *voilà...*"

Beaudoin says the atmosphere and attitudes within Canadair have changed enormously in the past decade. "Ten years ago, management used to recruit engineers from the United Kingdom, probably because they thought they were better trained. Today, management knows we train excellent personnel



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The sporty water scooter Sea-Doo

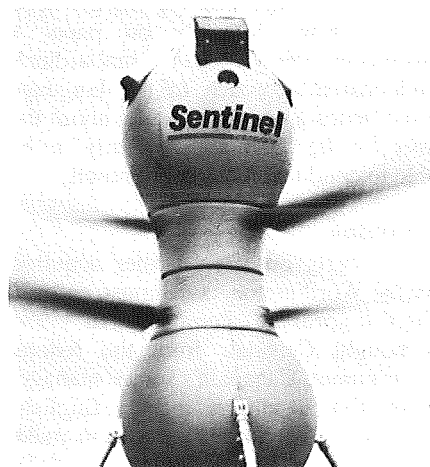
here, and many more people are recruited here. Since 'here' is Quebec, the new people speak French."

Evolution and internationalism

The re-evaluation of the language policies and programs at Canadair will likely result in both English and French language instruction being available to all senior and technical staff by this fall. Language instruction will be paid for by the employer, but will take place outside business hours.

The evolution of Canadair from an English culture to a French one is proceeding. But Bombardier is, in reality, an international company. Not only does Bombardier sell its products, services and technology to people around the world, its business managers are well aware that much of the language of global business is English. "In aerospace especially," says Rivard, "the language is English. It's changing slowly — technical manuals and contracts

are also written in French. But English is still the predominant language. We want our people for their expertise. As for learning French, we will do our utmost to get them there." ■



The Sentinel CL-227

Canadian
Canadian Airlines International

The Spirit Takes Wing

Canadian Airlines International was born last spring from the amalgamation of four major Canadian carriers. The grouping of Canadian Pacific Air Lines, Pacific Western Airlines, Nordair and Eastern Provincial Airways resulted in a Canadian international flag carrier providing service to 89 destinations in 13 countries on five continents. Immediately, the new corporation ranked among the top 25 airlines in the world.

The company's new logo represents the five continents with five bars, and forward motion and speed by a red wing superimposed on the bars.

With the new name came a new identity and a new image. While the company's new logo represents the five continents with five bars, and forward motion and speed by a red wing superimposed on the bars, George Hickey, manager of Marketing Services told *Language and Society* that the substitution of logo for vowel was planned so that the key word identifying the airline could be read either as English or as French. Canadian Airlines International is well aware of both of Canada's official languages and determined to take them into account in its planning. "We're not a hundred per cent perfect," Mr. Hickey said, "but we're trying."

Language and Society salutes another good Canadian corporate citizen, one which wisely recognizes that its market is country-wide as well as world-wide. ■

Press Review

The delay until fall of the implementation of the decision of the Canadian Radio-Television and Telecommunications Commission to award an all-news TV channel to the CBC, at least partly due to complaints about the absence of a French-language equivalent, produced criticism of the government's action and suggestions for innovation from the nation's press.

The all-news channel

For the Toronto *Globe and Mail*, "Ottawa has nothing but a crude political excuse for its intervention...". The *Globe* dismissed the language issue as "quite weightless", since a feasibility study of a French-language version was one of the conditions of the CBC licence.

In the view of the Montreal *Gazette*, "The Mulroney government took the chicken-hearted way out." While it agreed that there were grounds for objecting to a unilingual service, the *Gazette* continued: "...but if there is to be a French channel, who but the CBC could hope to provide it?"

Lise Bissonnette, the *Globe's* Quebec columnist, saw the proposed channel as virtually a non-issue, which "...should never have become a French vs. English controversy." To Ms. Bissonnette, Francophone needs, especially in Quebec, will be largely met by the new French-language TV5 channel, scheduled to begin operations next fall with a mixture of Canadian and European programming. The real focus of criticism should be on the fact that full CBC French services are still unavailable to half-a-million Francophone Quebecers. In addition, "Why is it that TV5 will not be made available to French-speaking viewers west of Winnipeg, while the English all-news service will be available in Quebec?"

While she agreed that the absence of an all-news French channel "is not the scandal of the century", and that "the problem is not one of discrimination as such, but rather one of numbers," Lysiane Gagnon of Montreal's *La Presse* noted that, in principle "one could argue that it is the duty of the CBC to offer similar services in the two languages, even if it costs more in French." Citing reports that one dollar per cable subscriber per month would make a French-language news service

viable — the same amount that will be assessed for a new 24-hour sports channel — Ms. Gagnon posed a question: "...why was it assumed, without even asking their opinion, that Francophones would be willing to see their cable bills climb by a dollar for sports...but not for information."

Practical suggestions to resolve the issue came from a variety of sources. One was Paul-André Comeau, Editor-in-chief of Montreal's *Le Devoir*, who agreed that while the absence of a reference to French services was "a grave omission", the market is not large enough to sustain an all-news channel. For him, the solution lies in the enrichment of TV5 Canadian programming with a greater variety of Canadian information packages. "In the absence of a continuous news network, for which there is no evidence of a real need, we could thus create an original solution which would satisfy the desires of a part of the Francophone population."

To the Thunder Bay *Chronicle-Journal*, an obvious solution would be to provide French-language service outside Quebec only in areas where there is a concentration of Francophone population. "With today's technology, a French-language all-news service beamed solely to Francophone population pockets is not only possible but, based on linguistic reality, warranted."

For Alain Dexter of Ottawa's *Le Droit*, the solution is simpler — and cheaper. "Why not a bilingual information network?" was the title of his editorial. He dismissed fears of a backlash by noting that, by the very nature of the programming, including repetitiveness, such a result was unlikely. "Those people who invoke the pretext that Anglophones from the West or elsewhere would be shocked to hear French on an all-news network don't really understand the concept of specialized television....That is why we hardly believe that any mentally balanced Anglophone could be upset at the fact that a trans-Canadian news network offered part of its programming in French (25% for example)."

Minority issues

Issues of official language minority rights in the face of court decisions and government policies continue to be the focus of editorial comment.

The judicial decision came from the Supreme Court of Canada, which ruled that, despite 80 years of disuse, Francophone rights embodied in the North-West Territories Act still retain their validity in Saskatchewan, and by implication also in Alberta. The Court also ruled, however, that since the law in question was not entrenched in the Constitution, both provinces can, by simple legislation, revert to the status quo if they so choose.

A tone of cautious optimism characterised the responses of the two main French-language dailies, *La Presse* and *Le Devoir*.

"There is certainly reason to rejoice. But there is no reason for euphoria," wrote editorialist Pierre Vennat in *La Presse*. Much depends both on the good will of the governments concerned and the determination of the Francophones of the two provinces to stop the process of assimilation. "Otherwise, the victory in the Supreme Court will be merely symbolic."

Limiting himself to Saskatchewan, *Le Devoir's* Paul-André Comeau called for an immediate dialogue between the Francophone community and the provincial government. The hour, he suggested, is late. "The tardy recognition of a right ignored and often flouted does not erase three-quarters of a century of history marked above all by the anglicization of the Francophones of that province." The response of the government, he suggested, will be of vital symbolic importance as "the first real test" of the spirit of Meech Lake.

The same conclusion was reached by the Montreal *Gazette*. "Saskatchewan and Alberta do not have to recognize minority rights. But if they turn their backs on this historical opportunity...they will make a mockery of their signatures on the Meech Lake accord."

In Quebec, it was evidence of a stiffening government attitude on the question of amending the province's language law to permit bilingual commercial signs that reawakened the ire of the Anglophone minority, which has been pressing the Liberal administration to fulfil promises made during the last election campaign.

The new wave of protest followed a statement by Premier Bourassa that he was sure that, given the choice between the legalization of bilingual signs

Press Review
continued on page 36

Polyphonous Perverse

Margaret Atwood



One of the penalties of 20th-century authorship is the book-promotion tour. I've done these in many English-speaking countries. England is the easiest, because you can mostly just sit in London, with the occasional grotty side-trip by British Rail. The United States generates the most bizarre situations: the limousine breakdown on the Los Angeles freeway at rush hour, with rescue by a taxicab coated, on the inside, with chocolate; the limousine breakdown on the New York freeway at rush hour with rescue by a Marine. Canada is like being shot out of a cannon from one end of the country to the other, ricocheting off the local media sharks en route.

Quite a few of my books have now been translated into French — some by Quebec translators, others by French-from-France ones. It always pleases me to see my work in French, because two of the early influences on my own work were Quebec writers: Marie-Claire Blais, who published *La Belle Bête* when I was still in university, and Anne

Hébert, whose poetry I read at the same time. But it also surprises me: my work in French seems, well, so *French*, and somehow more intellectual. Possibly this has been due to the excellence of my translators.

It's an effect that's dispelled, however, as soon as I open my mouth during book promotion tours in French. I studied French in both high school and university, but it was literary French, on-the-page French. The alexandrine couplets of Racine sound terrific when recited to your bathroom mirror, but they aren't much use when you're trying to direct a taxi driver, much less discussing the intricacies of your latest plot. I have a horrible feeling that I went through an entire three days of interviews in Paris saying "the birth rat" instead of "the birth rate", and that everyone was too polite to correct me because they all knew what I meant. However, in France no one *expects* me to speak French, and they're more or less surprised when I do. In Quebec, it's *de rigueur* to *faire l'effort*. Making an idiot of yourself in the other official language appears to be one of the literary rituals shared by Anglophone and Francophone writers in this country: when I find myself live on Quebec radio or television with some mangled idiom issuing from my distraught mouth, I call on Roch Carrier for inspiration. His English, when he began the Anglo book circuit, was just as awful as my French, but he had courage and toughed it out, and I greatly admired him for it.

Though you may cringe at your own linguistic ineptitude, there are compensations. I have a theory that inside each of us are a great many secret personalities, one for every language, waiting to get out. The origin of this theory is the Canadian/American/Quebecois writer Clark Blaise, an accomplished linguist, whom I met during the year I taught in Montreal. When Clark spoke French, his whole face changed and he looked French. When it was German, he looked German, when it was Russian he became Russian. When I speak French, however badly, however briefly, I'm allowed to encounter for a few moments, a few days, my secret

French personality. I wave my hands around a lot more — due perhaps to vocabulary deficiencies — and my face starts moving about like rubber. I even shrug, something I never do in English. I experience a rush of freedom, partly because I'm not totally in charge of whatever I'm saying. Who knows what witticisms are emerging? Not me!

Historically, there's been more translation of Quebec writing in English Canada than the other way around. Once upon a time a book tour in Quebec by an Anglo-Canadian author would have been unthinkable. A little later, say in the early 70s, it would have been unpleasant, because the audience would have been hostile. My recent experiences have been very hard work, it's true, but also very enjoyable; the people I spoke with obviously thought I was pretty quaint, but they were kind about it. (My favourite remark from the Quebec media was made by a journalist who wrote that I wouldn't be bad-looking if I took more trouble about it, which was exactly what my mother's next-door neighbour used to say.)

On the basis of my own experience, I'd venture to state that the climate in Quebec for Anglo-Canadian writers has warmed up considerably, with qualification: publishers there will be much more interested in doing translations of English-Canadian writers if the writer is prepared to go to Quebec and stumble through a book tour in French. That's a bit of a hurdle, because the national emotion of English Canadians is embarrassment. But why let a little embarrassment stand in the way of your secret French self? ■

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English Only?

John S. Mikulaninec*

The United States, in all probability, will never develop a language policy remotely like anyone else's.

Should the United States develop a national language policy? Should the State of New Jersey make substantial changes in its bilingual education policies? If they did, what might they look like? These and other questions were explored at Jersey City State College in Hudson County, New Jersey, on October 6, at a conference called "English Only?" Dr. T. Edward Hollander, Chancellor of Higher Education in New Jersey, was the keynote speaker. Other speakers included James N. Horn, a Texas state representative and signer of an amendment to the Texas constitution mandating English as the official language of Texas; Juan Cartagena, staff attorney for the Puerto Rican Defense and Education Fund; and Stuart Beaty, Special Projects Adviser in the Office of Canada's Commissioner of Official Languages.

Acculturation

The presentations at the conference confirmed my opinion that the United States, in all probability, will never develop a language policy remotely resembling Canada's or, for that matter, anyone else's. At the moment, the language question is important principally to members of the Hispanic community, but there is little indication that it will not be resolved in the same manner that it was for immigrants coming to America between 1880 and 1914. Fragmentary data are already indicating that members of the Hispanic community are beginning to move up the socioeconomic ladder at a faster rate than had been predicted by some only 10 years ago; and, as upward mobility accelerates, the language question will fade as an issue among today's concerned ethnics.

New Jersey's commitment to student minority education will hasten the demise of the language question. Under

the leadership of Governor Thomas Kean and Chancellor Hollander, the public colleges and universities must meet certain minimum minority recruitment goals. As these goals are met by the individual colleges and universities — and the financial inducements for each institution are generous enough to encourage the recruitment process — minority students can be expected to go through the same metamorphosis experienced by previous ethnics. Furthermore, since New Jersey's minority recruitment policy is similar to that of many southern and southwestern border states, similar results are likely in those regions.

Public higher education policy

One of Chancellor Hollander's principal themes was a plea for language pluralism. However, he obscured the state's public higher education language policy. The function of bilingual education in New Jersey's public colleges and universities is *not* to make students bilingual, but to act as a bridge transporting the non-English speaker into English. The Chancellor buried this explanation in the middle of his presentation and the audience either did not hear what he said or chose to ignore it.

The purpose of bilingual education

Juan Cartagena focused his remarks on the legal underpinnings of bilingual education in the state and the nation. Mr. Cartagena's reasoned defence of bilingual education was enthusiastically accepted by the audience; but even he begged one of the most basic questions: the fundamental purpose of bilingual education.

James N. Horn represented the "English Only!" constituency at the conference. Essentially, he argued that bilingual education as originally conceived and developed was very good. But, he said, it had become bureaucratic, had taken on a life of its own and was unsure of its goals. Many educators working in the field, according to Mr. Horn, had forgotten, either

unconsciously or deliberately, that the function of bilingual education was not native language maintenance but to assist a person in learning English. Often, he said, the result of a bilingual educational experience was a person who could not function well either in his or her native language or in English. The English Only group, he emphasized, were not against bilingual education: they only objected to its current status in education. Mr. Horn said that if bilingual education would revert to its original objectives, he knew of no one who would not support it.

The audience was more receptive to Mr. Horn's position than I had imagined it would be. Could it be that the majority of non-English speakers in the United States want to acculturate into the nation's mainstream as rapidly as possible, with bilingual education if necessary or without bilingual education if necessary?

Developing language policy

Stuart Beaty said so much, but so few listened! I had thought that obviously there must be something that Americans might learn from Canada's experiences in language policy development and implementation. Mr. Beaty spoke to the issues directly; he commented on the difficulty of maintaining bilingualism in a multicultural setting within a federal structure; he spoke about minority language rights, about promoting and enforcing a language

The language question will fade as an issue among today's concerned ethnics.

policy, and about the resources needed to make such a policy work. Unfortunately, few were listening. If the audience and the addresses at this conference are any indication, very few academics, political leaders or American ethnics are ready to deal with the very important and substantive issues raised by Mr. Beaty.

Until some coalition comes forth to confront the tough questions of objectives and resource commitments and searches out models such as Canada for analysis, there will be no sustained support for any national language policy. Certainly there are ethnics interested in the language question, but they are not attempting to organize support within or among ethnic groups and others to facilitate the creation of a policy. ■

*John S. Mikulaninec teaches at Jersey City State College.

'Vive le français!'

Anglo Toronto Exclaims

Alfred Holden

Toronto's sign to the world should now read: "Ici on parle français."

For as it has embraced the world's cultures, one of Canada's greatest cities has swallowed its once-blazing Orangeman's pride and quietly accepted bilingualism as well.

The signs — both figuratively and literally — are everywhere.

They range from the beehive of cultural activity at the Centre Francophone at 222 Queen's Quay W., to French-language Boy Scout and Girl Guide troops, to the advertisements by staid Bay St. law firms in *Annuaire Francophone* — a yellow pages of services available in French.

You will find thriving Francophone bookstores downtown and debates on French services at Metro Council, not to mention French debates at Cercle Canadien, Canada's only French-speaking Canadian Club.

French restaurants, cinema, theatre, schools and universities entertain or enlighten, helped at the newstands by *l'Express*, Toronto's French-language weekly.

Mother tongue

On the air, the CBC carries French radio and television while TVOntario and CIUT, the University of Toronto's community FM station, compete with French-language content.

One estimate places at 50,000 the number of Metro area residents with French as a mother tongue, but up to 250,000 and growing for people who can speak French.

"Mon dieu, que la ville a changé (My God, how Toronto has changed)," exclaim people like Serge Jacob, a 28-year-old who came to Toronto to attend university and learn English 10 years ago and, to his surprise, stayed.

Despite his youth, Jacob, a 'vrai Québécois' who grew up within the walls of Old Quebec, remembers when speaking French on the street drew frowns, and the lack of French services and cultural activities made Toronto seem like a foreign country.

Just what has happened to transform the city so rapidly?

Leaders in the Francophone community point to a myriad of factors, some of which can be traced to the influence of national politics and the Parti Québécois.

But there is also the important phenomenon of Toronto's maturing as one of the world's great cities, they say.

"Now you've got all nations on board, and it's been a much more open city to Francophones, who now have a place they did not have only a few years ago," says Monique Cousineau, head of the recently opened Toronto office of Canada's Commissioner of Official Languages.

The average Anglophone, while perhaps still indifferent to learning another language, no longer feels threatened or offended "and has embraced the enrichment that French brings," says Anne-Marie Couffin, director of Centre Francophone, the Francophone community's major centre of services, education and information.

They and others stress that a French presence in Toronto is not just a Canadian or Quebec phenomenon — it includes people from more than 30 French-speaking countries in Europe, Africa and Asia.

In fact, one of the latest additions to the Toronto mosaic is l'Association multiculturelle francophone de l'Ontario, a group organized to give French-speakers from countries as diverse as France, Vietnam, Gabon, Haiti, Lebanon, Switzerland and Zaire a voice.

Politics have also played a role in the blooming of French here.

Catholic Church

Prior to the 1969 passage of the Official Languages Act, which made both English and French official languages, and before René Lévesque's 1976 rise to power in Quebec, French life had existed in Toronto for more than a century as a relatively quiet, unacknowledged minority, largely revolving around the Catholic Church.

But those and related national events jolted awareness about the fragility of Canada into once-indifferent Toronto. With Lévesque's victory, the exodus of companies from Quebec brought many French-speaking people to Toronto.

Denis Lefebvre, spokesman for Théâtre français, a professional theatre group that puts on a half-dozen productions per year, says it was the new generation that established the network of cultural and educational organizations.

"You have seen a dramatic change in 10 years," Lefebvre said. "And much of it can be attributed to these political events."

Leaders point out that French in Toronto differs from other minorities in that there is no distinct French district — nothing like Little Italy, Chinatown or the Danforth.

Bilingual jobs

Perhaps reassuringly, Ontario and Quebec Francophones, among Canada's founding peoples, don't view moving here like moving to a foreign country. And most Canadian Francophones — in this country's tradition — speak English flawlessly, often holding down bilingual jobs.

Many francophiles attend and support such institutions such as Glendon College, York University's bilingual wing, Théâtre français, now celebrating its 20th year, Cercle canadien, and the multitude of programs offered by Centre Francophone.

As well as offering dozens of programs, including French immersion classes for Anglophones, Centre Francophone also acts as an umbrella organization for more than 50 French-language groups. It will shortly break ground on a badly needed \$5 million headquarters at Harbourfront.

Cousineau points to the popularity of French immersion in Toronto public and separate schools, to the swift passage of Ontario's Bill 8 to extend French-language services, and the hundreds of calls her office gets from people interested in French educational and cultural opportunities, as further signs Toronto and Ontario have grown up.

For his part, Jacob says he can see, hear, and feel it on the street,

"If you speak French now on the subway you still have to be careful," Jacob likes to joke. "Only now it's because so many people understand." ■

The Toronto Star, December 28, 1987.
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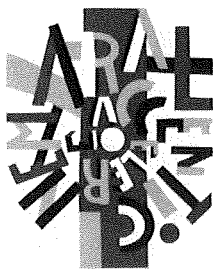
BOOK REVIEWS

The Universality of French

Marcel Fournier

Hagège, Claude, 1987, *Le français et les siècles*, Paris, Éditions Odile Jacob, 260 pp.

CLAUDE HAGÈGE
LE FRANÇAIS
ET LES SIÈCLES



In his famous *Discours sur l'universalité de la langue française*, Rivarol wrote in 1783 that "languages change and deteriorate as nations decline." Cultural and linguistic prestige often goes hand in hand with military, economic and political power. Must we conclude from this, in view of the ever-greater expansion of the American empire since the Second World War, that French is in danger today?

The French linguist Claude Hagège has temporarily relinquished his chair at the Collège de France to engage in debate. His book, which is rigorously argued and based on concrete examples, comes as a breath of fresh air and provides us with valid grounds for optimism: borrowings, as from English, are generally absorbed by the language

borrowing them and help to enrich it. If there is a problem, it has to do rather with the international promotion of French. The centre of activity is shifting from French to the whole of *la Francophonie*.

Hagège, for his part, believes that maintaining the good international standing of French constitutes a rational picture. His great dream is some day to see French once again enjoy the privilege of universality. What language, he asks, is better placed than French to serve as an alternative to those that convey the ideologies of the Soviet and American blocs? After destroying several myths — for example, that of the clarity of the French language — Hagège propounds a new one when he closely links French language and culture to "the image of freedom that the (French) Revolution imprinted on the mind." The learned academic ventures beyond the linguistic sphere and, from being an analyst, becomes a man of action.

For the long-term project of promoting French internationally, Hagège identifies various prerequisites, such as respect for languages other than French, both in France and abroad, and proposes various methods, ranging from minor spelling reform to specific measures to promote the use of French by the media (TV5) and in the sciences. Hagège is not afraid to indulge in dreams, stating that by believing in them, Utopias have often been turned into realities.

Reading the several paragraphs that Hagège devotes to linguistic problems in Quebec, readers there will be pleased with the tolerance he shows for jòual, "the popular Quebec French dialect, which differs considerably from the Canadian standard in its vocabulary rich in Anglicisms and especially in its phonetics." The author himself believes that "by writing official unilingualism in favour of French (Bill 101) into its constitution, Quebec has shown a clear understanding of the seriousness of what is at stake" and that we are now protected "against the peril of bilingualism." It is a safe bet, however, that purist grammarians will criticize him for his laxity and nationalist intellectuals for his unconcern about the urgency of the situation. One of the merits of this book is that it reminds us that "the French language has survived the test

of time" and that its defence today rests on the recognition and organization of a true Francophone space. Far from constituting cultural neo-colonialism, Hagège views the dissemination of French as "another choice, a humanistic one, in the face of all forms of hegemony." ■

Civilized Societies

McNeill, William H., 1986, *Polyethnicity and National Unity in World History*, University of Toronto Press, 85pp.

In 1985 the University of Toronto inaugurated a special lectureship in honour of the eminent Canadian historian, Donald Creighton (1902-1979). The intention was "to bring to the University of Toronto a distinguished scholar in the field of history to deliver a series of public lectures on a topic of general interest..." The first series of lectures, by Canadian-born University of Chicago Professor William H. McNeill, has been published as *Polyethnicity and National Unity in World History* (University of Toronto Press, 1986, 85 pp.).

The theme of this little book is that though we have been led to think that each separate national state should be the embodiment of a separate and distinguishable "people", this sort of walling off of one culture from another was in fact a barbarian trait. Throughout history, civilization has entailed the mingling of peoples of ethnically diverse backgrounds. The exception is to be found in the peculiar circumstances of northwestern Europe from about 1750-1920.

"My idea," the author says, "was to put the contemporary Canadian experience of the problems of French-English coexistence into the broadest possible historical framework, providing a perspective that will show polyethnicity as normal in civilized societies, whereas the idea of an ethnically unitary state was exceptional in theory and rarely approached in practice." J.N.

UPDATE

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Press Review continued

and "social peace", English-speaking Quebecers would opt for the latter.

Writing in the *Sherbrooke Record*, editorialist Jack Branswell conceded that to await the Supreme Court decision on the matter, as suggested by Mr. Bourassa, was acceptable. "What is not fair is trying to blackmail the English-speaking community into accepting what is less than its due. Did the Francophones of Saskatchewan have to give up 'social peace' without social justice?"

Michel Roy, associate editor of *La Presse*, was at least partly in agreement. While insisting that the government must cope with "the extreme social and cultural vulnerability of a small Francophone society in North America", he wrote: "To tie the issue of the language of signs strictly to the factor of 'social peace'...betrays a specious and simplistic reasoning. If justice and the law were to support the claims of the Anglophones in this matter, should justice be refused in the name of peace?"

From the *Guelph Mercury* came a plea for tolerance on all sides: "An English bilingual sign on a Montreal store won't damage French in Quebec any more than a trial in French will hurt Alberta's Anglophone majority."

In the same vein was an editorial in the *Globe and Mail*: "Bilingualism in Canada requires a generosity of spirit both toward Francophone minorities outside Quebec and the Anglophone minority within it." T. S.

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Language is an art, like brewing or baking...It certainly is not a true instinct, for every language has to be learnt.

Darwin